



2020/0361(COD)

8.7.2021

AMENDMENTS

1592 - 1872

Draft report
Christel Schaldemose
(PE693.594v01-00)

Single Market For Digital Services (Digital Services Act) and amending
Directive 2000/31/EC

Proposal for a regulation
(COM(2020)0825 – C9-0000/2021 – 2020/0361(COD))

Amendment 1592

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

Proposal for a regulation Article 26 – paragraph 2

Text proposed by the Commission

2. When conducting risk assessments, very large online platforms shall take into account, ***in particular***, how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is incompatible with their terms and conditions.

Amendment

2. When conducting risk assessments, very large online platforms shall ***also*** take into account how their content moderation systems, recommender systems and systems for selecting and displaying advertisement influence any of the systemic risks referred to in paragraph 1, including the potentially rapid and wide dissemination of illegal content and of information that is incompatible with their terms and conditions.

Or. en

Amendment 1593

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior, Marco Zullo

Proposal for a regulation Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When conducting risk assessments, very large online platforms shall involve representatives of the recipients of the service, representatives of groups potentially impacted by their services, independent experts and civil society organisations. Their involvement shall be tailored to the specific systemic risks that the very large online platform aim to assess.

Or. en

Amendment 1594

Marcel Kolaja

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The outcome of the impact assessment and supporting documents shall be communicated to the Board of Digital Service Coordinators and the Digital Services Coordinator of establishment. A summary version of the impact assessment shall be made publicly available in an easily accessible format.

Or. en

Amendment 1595

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The outcome of the risk assessment and supporting documents shall be communicated to the Agency and the Digital Services Coordinator of establishment. A summary version of the risk assessment shall be made publicly available in an easily accessible format.

Or. en

Amendment 1596

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The obligations detailed in paragraphs 1 and 2 shall by no means lead to a general monitoring obligation

Or. en

Amendment 1597

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 26 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Organisations mandated under Article 68 shall have the right to obtain access to the outcome and supporting documents of a risk assessment and to lodge a complaint against its accuracy or completeness with the Digital Services Coordinator of establishment.

Or. en

Amendment 1598

Marcel Kolaja

Proposal for a regulation

Article 27 – title

Text proposed by the Commission

Amendment

Mitigation of *risks*

Mitigation of *adverse impacts*

Or. en

Amendment 1599

Geoffroy Didier, Nathalie Colin-Oesterlé

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online **platforms** shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Amendment

1. Very large online **platform services, live streaming platform services, private messaging services and search engine services** shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Or. en

Amendment 1600

Marcel Kolaja

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific **systemic risks** identified pursuant to Article 26. Such measures may include, where applicable:

Amendment

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific **adverse impacts** identified pursuant to Article 26, **where mitigation is possible without adversely impacting other fundamental rights**. Such measures may include, where applicable:

Or. en

Amendment 1601

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Laurence Farreng, Karen Melchior

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall

Amendment

1. Very large online platforms shall

put in place reasonable, proportionate and effective **mitigation** measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

put in place reasonable, proportionate and effective measures **to mitigate the probability and severity of any**, tailored to **address** the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Or. en

Amendment 1602

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place reasonable, proportionate and effective **mitigation** measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Amendment

1. Very large online platforms shall put in place reasonable, proportionate and effective measures **to mitigate the probability and severity of any**, tailored to **address** the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Or. en

Justification

Mitigating should not always mean removal. It may be the placement and visibility of content.

Amendment 1603

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may

Amendment

1. Very large online platforms shall, **in collaboration with the Commission**, put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified

include, where applicable:

pursuant to Article 26. Such measures may include, where applicable:

Or. fr

Amendment 1604

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Amendment

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures **targeting illegal practices**, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Or. en

Amendment 1605

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place **reasonable**, proportionate and effective **mitigation** measures, **tailored** to the specific systemic risks identified pursuant to Article 26. Such measures **may** include, where applicable:

Amendment

1. Very large online platforms shall put in place **transparent**, proportionate and effective measures to **eliminate, prevent and mitigate** the specific systemic risks identified pursuant to Article 26. Such measures **shall** include, where applicable:

Or. en

Amendment 1606

Karen Melchior, Samira Rafaela, Hilde Vautmans, Michal Šimečka, Ivars Ijabs, Anna Júlia Donáth, Olivier Chastel, Fabienne Keller, Petras Auštrevičius, Irène Tolleret, Ramona Strugariu, Barry Andrews, Susana Solís Pérez, Dragoș Pîslaru, Katalin Cseh

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures *may* include, where applicable:

Amendment

1. Very large online platforms shall put in place reasonable, proportionate and effective mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures *shall* include, where applicable:

Or. en

Amendment 1607

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit
on behalf of the ID Group

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall put in place *reasonable*, proportionate *and effective* mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Amendment

1. Very large online platforms shall put in place proportionate mitigation measures, tailored to the specific systemic risks identified pursuant to Article 26. Such measures may include, where applicable:

Or. en

Amendment 1608

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

- (a) adapting content moderation or recommender systems, their decision-making processes, the features or functioning of their services, or their terms and conditions;

Amendment

- (a) adapting content moderation or recommender systems, their decision-making processes, the **design**, features or functioning of their services, **their advertising model** or their terms and conditions;

Or. en

Amendment 1609

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Laurence Farreng, Karen Melchior, Stéphane Séjourné, Marco Zullo, Christophe Grudler

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

- (a) adapting content moderation or recommender systems, their decision-making processes, the features or functioning of their services, or their terms and conditions;

Amendment

- (a) adapting content moderation or recommender systems, their decision-making processes, **design**, the features or functioning of their services, or their terms and conditions;

Or. en

Amendment 1610

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

- (a) adapting content moderation or recommender systems, their decision-making processes, the features or functioning of their services, **or their terms and conditions**;

Amendment

- (a) adapting content moderation or recommender systems, their decision-making processes, the features or functioning of their services;

Or. fr

Amendment 1611

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

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) ***adapting*** content moderation or recommender systems, their decision-making processes, the features or functioning of their services, or their terms and conditions;

Amendment

(a) ***checking*** content moderation or recommender systems, their decision-making processes, the features or functioning of their services, or their terms and conditions;

Or. en

Amendment 1612

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) adapting content moderation or recommender systems, their decision-making processes, the features or functioning of their services, or their terms and conditions;

Amendment

(a) adapting content moderation or recommender systems, their decision-making processes, ***design***, the features or functioning of their services, or their terms and conditions;

Or. en

Justification

design must equally be taken into account

Amendment 1613

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) targeted measures aimed at limiting the display of advertisements in association with the service they provide;

Amendment

(b) targeted measures aimed at limiting the display ***of and targeting*** of advertisements in association with the service they provide ***or the alternative placement and display of public service advertisements or other related factual information***;

Or. en

Justification

Instead of leaving ad spaces empty, this area can be used to provide public service or factual information to better inform the viewer of the content.

Amendment 1614

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng, Marco Zullo

Proposal for a regulation
Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) targeted measures aimed at limiting the display of advertisements in association with the service they provide;

Amendment

(b) targeted measures aimed at limiting the display ***of and targeting*** of advertisements in association with the service they provide;

Or. en

Amendment 1615

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) targeted measures aimed at limiting

Amendment

(b) targeted measures aimed at limiting

the display of advertisements in association with the service they provide;

the display **and targeting** of advertisements in association with the service they provide;

Or. en

Amendment 1616

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) reinforcing the internal processes or supervision of any of their activities in particular as regards detection of systemic risk;

(c) reinforcing the internal processes, **testing, documentation** or supervision of any of their activities in particular as regards detection of systemic risk;

Or. en

Amendment 1617

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

Proposal for a regulation

Article 27 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) **initiating or adjusting cooperation with trusted flaggers in accordance with Article 19;**

deleted

Or. en

Amendment 1618

Geert Bourgeois

Proposal for a regulation

Article 27 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) initiating or adjusting cooperation with trusted flaggers in accordance with Article 19; **deleted**

Or. nl

Amendment 1619
Marion Walsmann

Proposal for a regulation
Article 27 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) in case of very large online marketplaces taking into account the information on repeat infringers as referred to in Article 20 paragraph 1a, when starting a contractual relationship with a trader;

Or. en

Amendment 1620
Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation
Article 27 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) initiating or adjusting cooperation with other online platforms through the codes of conduct and the crisis protocols referred to in Article 35 and 37 respectively. **deleted**

Or. fr

Amendment 1621
Marcel Kolaja

Proposal for a regulation
Article 27 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) initiating or adjusting cooperation with other online platforms through the codes of conduct and the crisis protocols referred to in Article 35 and 37 respectively.

deleted

Or. en

Amendment 1622

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 27 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) targeted measures aimed at reducing electricity and water consumption, heat production and CO₂ emissions related to the provision of the service and technical infrastructure.

Or. en

Amendment 1623

Róza Thun und Hohenstein

Proposal for a regulation
Article 27 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

These measures and its justification shall be provided to the independent auditors in order to prepare the audit report referred to in Article 28.

Or. en

Amendment 1624

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Any measure adopted shall respect the due diligence requirements of this Regulation and be effective and appropriate for mitigating the specific risks identified, in the interest of safeguarding public order, protecting privacy and fighting fraudulent and deceptive commercial practices, and should be proportionate in light of the very large online platform's economic capacity and the need to avoid unnecessary restrictions on the use of their service, taking due account of potential negative effects on the fundamental rights of the recipients of the service.

Or. en

Amendment 1625

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Very large online platforms shall, where appropriate, conduct their risk assessments referred in Article 26 and design their risk mitigation measures with the involvement of representatives of the recipients of the service, representatives of groups potentially impacted by their services, independent experts and civil

society organisations. Where no such involvement is taken, this shall be made clear in the transparency report referred to in Article 33.

Or. en

Justification

This requirement was set down in a recital without any matching article. This is now introduced.

Amendment 1626

Karen Melchior, Samira Rafaela, Hilde Vautmans, Michal Šimečka, Ivars Ijabs, Anna Júlia Donáth, Olivier Chastel, Fabienne Keller, Petras Auštrevičius, Irène Tolleret, Ramona Strugariu, Barry Andrews, Katalin Cseh

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Where a very large online platform decides not to put in place any of the mitigating measures listed in Article 27(1), it shall provide a written explanation that describes the reasons why those measures were not put in place, which shall be provided to the independent auditors in order to prepare the audit report in Article 28(3).

Or. en

Amendment 1627

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Board shall evaluate the implementation and effectiveness of mitigating measures undertaken by very

large online platforms listed in Article 27(1) and where necessary, may issue recommendations.

Or. en

Amendment 1628

Marco Zullo

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Very large online platforms communicate to their recipients of the service the presence and type of systemic risks identified and relative adopted measures.

Or. en

Amendment 1629

Marcel Kolaja

Proposal for a regulation

Article 27 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The decision as to the choice of measures shall remain with the platform.

Or. en

Amendment 1630

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 27 – paragraph 1 b (new)

1b. Where a very large online platform decides not to put in place any of the mitigating measures listed in Article 27(1), it shall provide a written explanation that describes the reasons why those measures were not put in place, to the Board in view of issuing specific recommendations and to independent auditors for the purposes of the audit report.

Following the written explanation of the reasons of the very large online platforms not to put in place mitigating measures, and where necessary, the Board shall issue specific recommendations as to the mitigation measures that very large online platforms shall implement. Very large online platforms shall within one month from receiving of these recommendations, implement the recommended measures, or set out any alternative measures they intend to take to address the identified risks.

In case of systemic failure of a very large online platform to take effective mitigating measures and in case of repeated non-compliance with the recommendations, the Board may advise the Commission and the Digital Services Coordinators to impose sanctions.

Or. en

Amendment 1631

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 27 – paragraph 2 – introductory part

2. The Board, in cooperation with the Commission, shall publish comprehensive

2. The Board, in cooperation with the Commission, shall publish comprehensive

reports, once a year, which shall include the following:

reports, once a year. ***The reports of the Board shall be broken down per Member State in which the systemic risks occur and in the Union as a whole. The reports shall be published in all the official languages of the Member States of the Union. The reports*** shall include the following:

Or. en

Amendment 1632

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 2 – introductory part

Text proposed by the Commission

2. The ***Board, in cooperation with the Commission***, shall publish comprehensive reports, once a year, which shall include the following:

Amendment

2. The ***Agency*** shall publish comprehensive reports, once a year, which shall include the following:

Or. en

Amendment 1633

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

Proposal for a regulation

Article 27 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Board, in cooperation with the Commission, shall publish comprehensive reports, once a year, which shall include the ***following***:

Amendment

2. The Board, in cooperation with the Commission, shall publish comprehensive reports, once a year, which shall include the:

Or. en

Amendment 1634

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) identification and assessment of the most prominent and recurrent systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with *Article* 31 and 33;

Amendment

(a) identification and assessment of the most prominent and recurrent systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with *Articles 30, 31 and 33*;

Or. en

Amendment 1635

Marcel Kolaja

Proposal for a regulation

Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) identification and assessment of the most prominent and recurrent **systemic risks** reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

Amendment

(a) identification and assessment of the most prominent and recurrent **adverse impacts** reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

Or. en

Amendment 1636

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation

Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) identification and assessment of the

Amendment

(a) identification and assessment of

most prominent and recurrent systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

each of the systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

Or. en

Justification

The current text gives no clear indications as to how a platform should assess which risks are the most prominent. This also gives too much discretion to the platforms.

Amendment 1637

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) identification and assessment of the **most prominent and recurrent** systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

Amendment

(a) identification and assessment of **each of** the systemic risks reported by very large online platforms or identified through other information sources, in particular those provided in compliance with Article 31 and 33;

Or. en

Amendment 1638

Geoffroy Didier, Sabine Verheyen, Brice Hortefeux

Proposal for a regulation

Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) identification and assessment of the most prominent and recurrent systemic risks reported by **very large** online platforms or identified through other information sources, in particular those

Amendment

(a) identification and assessment of the most prominent and recurrent systemic risks reported by online platforms or identified through other information sources, in particular those provided in

provided in compliance with Article 31 and 33;

compliance with Article 31 and 33;

Or. en

Amendment 1639

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit
on behalf of the ID Group

Proposal for a regulation

Article 27 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) best practices for very large online platforms to mitigate the systemic risks identified. **deleted**

Or. en

Amendment 1640

Marcel Kolaja

Proposal for a regulation

Article 27 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) best practices for very large online platforms to mitigate the *systemic risks* identified.

(b) best practices for very large online platforms to mitigate the *adverse impacts* identified.

Or. en

Amendment 1641

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 27 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The reports of the Board shall include information both broken down per Member State in which the systemic risks occur and in the Union as a whole. The reports shall be published in all the official languages of the Member States of the Union.

Or. en

Justification

Additional information, which will help to better understand the report at both Member State and Union level.

Amendment 1642

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit
on behalf of the ID Group

Proposal for a regulation
Article 27 – paragraph 3

Text proposed by the Commission

Amendment

3. *The Commission, in cooperation with the Digital Services Coordinators, may issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the Commission shall organise public consultations.* ***deleted***

Or. en

Amendment 1643

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 27 – paragraph 3

Text proposed by the Commission

3. The **Commission, in cooperation with the Digital Services Coordinators**, may issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the **Commission** shall organise public consultations.

Amendment

3. The **Agency** may issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the **Agency** shall organise public consultations.

Or. en

Amendment 1644

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng, Marco Zullo

Proposal for a regulation
Article 27 – paragraph 3

Text proposed by the Commission

3. The Commission, in cooperation with the Digital Services Coordinators, **may** issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. **When preparing those guidelines the Commission shall organise public consultations.**

Amendment

3. The Commission, in cooperation with the Digital Services Coordinators, **and following public consultations shall** issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved.

Or. en

Amendment 1645

Marcel Kolaja

Proposal for a regulation

Article 27 – paragraph 3

Text proposed by the Commission

3. The Commission, in cooperation with the Digital Services Coordinators, may issue general **guidelines** on the application of paragraph 1 in relation to specific **risks**, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those **guidelines** the Commission shall organise public consultations.

Amendment

3. The Commission, in cooperation with the Digital Services Coordinators, may issue general **recommendations** on the application of paragraph 1 in relation to specific **impacts**, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those **recommendations** the Commission shall organise public consultations.

Or. en

Amendment 1646

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 27 – paragraph 3

Text proposed by the Commission

3. The Commission, **in cooperation with the Digital Services Coordinators**, may issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the Commission shall organise public consultations.

Amendment

3. **The Board and** the Commission may issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the Commission shall organise public consultations.

Or. en

Amendment 1647
Barbara Thaler, Arba Kokalari

Proposal for a regulation
Article 27 – paragraph 3

Text proposed by the Commission

3. The Commission, in cooperation with the Digital Services Coordinators, **may** issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the Commission shall organise public consultations.

Amendment

3. The Commission, in cooperation with the Digital Services Coordinators, **shall** issue general guidelines on the application of paragraph 1 in relation to specific risks, in particular to present best practices and recommend possible measures, having due regard to the possible consequences of the measures on fundamental rights enshrined in the Charter of all parties involved. When preparing those guidelines the Commission shall organise public consultations.

Or. en

Amendment 1648
Geert Bourgeois

Proposal for a regulation
Article 27 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. This article shall be without prejudice to the universal service obligation that very large social online platforms have under Article 33a.

Or. nl

Amendment 1649
Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 27 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The requirement to put in place mitigation measures shall not require an obligation to impose general monitoring or active fact-finding obligations.

Or. en

Justification

Any additional requirements should not contradict the ban under article 7

Amendment 1650

Leszek Miller

Proposal for a regulation

Article 27 a (new)

Text proposed by the Commission

Amendment

Article 27a

Mitigation of risks for the freedom of expression and freedom and pluralism of the media

1. Where specific systemic risks for the exercise of freedom of expression and freedom and pluralism of the media pursuant to Article 26(1)(b) emerge, very large online platforms shall ensure that the exercise of these fundamental rights is always adequately and effectively protected.

2. Where very large online platforms allow for the dissemination of press publications within the meaning of Art. 2(4) of Directive (EU) 2019/790, of audiovisual media services within the meaning of Article 1(1)(a) of Directive 2010/13/EU(AVMS) or of other editorial media, which are published in compliance with applicable Union and national law under the editorial responsibility and control of a press publisher, audiovisual or other media service provider, who can be held liable under the laws of a Member

State, the platforms shall be prohibited from removing, disabling access to, suspending or otherwise interfering with such content or services or suspending or terminating the service providers' accounts on the basis of the alleged incompatibility of such content with their terms and conditions.

3. Very large online platforms shall ensure that their content moderation, their decision-making processes, the features or functioning of their services, their terms and conditions and recommender systems are objective, fair and non-discriminatory.

Or. en

Amendment 1651

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall be subject, at their own expense and at least once a year, **to** audits to assess compliance with the following:

Amendment

1. Very large online platforms shall be subject, at their own expense and at least once a year, **and additionally where requested by the Agency, to independent** audits to assess compliance with the following:

Or. en

Amendment 1652

Marcel Kolaja

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall be

Amendment

1. Very large online platforms shall be

subject, at their own expense and at least once a year, to audits to assess compliance with the *following*:

subject, at their own expense and at least once a year, to audits to assess compliance with the *obligations set out in Chapter III*.

Or. en

Amendment 1653

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall be subject, at their own expense and at least once a year, to audits to assess compliance with the following:

Amendment

1. Very large online platforms shall be subject, at their own expense and at least once a year, to *independent* audits to assess compliance with the following:

Or. en

Justification

needed to match the title

Amendment 1654

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. Very large online platforms shall be subject, at their own expense and at least once a year, to audits to assess compliance with the following:

Amendment

1. Very large online platforms shall be subject, at their own expense and at least once a year, to *independent* audits to assess compliance with the following:

Or. en

Amendment 1655

Marcel Kolaja

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the obligations set out in Chapter III;

deleted

Or. en

Amendment 1656

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the obligations set out in Chapter III;

(a) the obligations set out in Chapter III.

Audits shall at least be performed on:

(i) the clarity, coherence and predictable enforcement of terms of service with particular regard to the applicable fundamental rights as enshrined in the Charter;

(ii) the completeness, methodology and consistency of the transparency reporting obligations as set out in Articles 13, 13a, 23, and 30 as well as respect for industry standards on transparency reporting;

(iii) accuracy, predictability and clarity of the provider's follow-up for recipients of the service and notice providers to notices of manifestly illegal content and terms of service violations and the accuracy of classification (illegal or terms and conditions violation) of removed information;

(iv) internal and third-party complaint

handling mechanisms;

(v) interaction with trusted flaggers and independent assessment of accuracy, response times, efficiency and whether there are indications of abuse;

(vi) diligence with regard to verification of the traceability of traders;

(vii) the adequateness and correctness of the risk assessment as set out in Article 26;

(viii) the adequateness and effectiveness of the measures taken according to Article 27 to address the risks identified in the risk assessments as set out in Article 26;

(ix) the effectiveness of and compliance with codes of conduct.

Audits on the subjects mentioned in points (i) to (vii) may be combined where the organisation performing the audits has subject-specific expertise on the subject matters at hand.

Or. en

Amendment 1657
Róza Thun und Hohenstein

Proposal for a regulation
Article 28 – paragraph 1 – point a

Text proposed by the Commission

(a) the obligations set out in Chapter III;

Amendment

(a) the obligations set out in Chapter III, *in particular the quality of the identification, analysis and assessment of the systemic risks referred to in Article 26, the necessity, proportionality and effectiveness of the risk mitigation measures referred to in Article 27, and the quality and effectiveness of the functionalities made available to the recipients of the service pursuant to Article 28a and Article 29(1);*

Or. en

Amendment 1658

Karen Melchior, Samira Rafaela, Hilde Vautmans, Michal Šimečka, Ivars Ijabs, Anna Júlia Donáth, Olivier Chastel, Fabienne Keller, Petras Auštrevičius, Irène Tolleret, Ramona Strugariu, Barry Andrews, Susana Solís Pérez, Dragoș Pîslaru, Katalin Cseh

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

(a) the obligations set out in Chapter III;

Amendment

(a) the obligations set out in Chapter III; *in particular the quality of the identification, analysis and assessment of the risks referred to in Article 26, and the necessity, proportionality and effectiveness of the risk mitigation measures referred to in Article 27*

Or. en

Amendment 1659

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

(a) the obligations set out in Chapter III;

Amendment

(a) the obligations set out in Chapter III, *in particular the quality of the identification, analysis and assessment of the risks referred to in Article 26, and the necessity, proportionality and effectiveness of the risk mitigation measures referred to in Article 27;*

Or. en

Amendment 1660

Marcel Kolaja

Proposal for a regulation

Article 28 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) any commitments undertaken pursuant to the codes of conduct referred to in Articles 35 and 36 and the crisis protocols referred to in Article 37. *deleted*

Or. en

Amendment 1661

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 28 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) any commitments undertaken pursuant to the codes of conduct referred to in Articles 35 and 36 and the crisis protocols referred to in Article 37.

(b) any **voluntary** commitments undertaken pursuant to the codes of conduct referred to in Articles 35 and 36 and the crisis protocols referred to in Article 37.

Or. en

Amendment 1662

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 28 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) any commitments undertaken pursuant to the **codes** of conduct **referred to in Articles 35 and 36 and the crisis protocols** referred to in Article 37.

(b) any commitments undertaken pursuant to the **code** of conduct **for online advertising** referred to in Article 36.

Or. fr

Amendment 1663

Marcel Kolaja

Proposal for a regulation

Article 28 – paragraph 2 – introductory part

Text proposed by the Commission

2. Audits performed pursuant to paragraph 1 shall be performed by organisations which:

Amendment

2. Audits performed pursuant to paragraph 1 shall be performed by ***the European Union Agency for Fundamental Rights. The Agency may decide to perform the audit in collaboration with*** organisations which:

Or. en

Amendment 1664

Liesje Schreinemacher, Bart Groothuis, Hilde Vautmans, Marco Zullo, Karen Melchior, Morten Løkkegaard, Adrián Vázquez Lázara, Sandro Gozi

Proposal for a regulation

Article 28 – paragraph 2 – introductory part

Text proposed by the Commission

2. Audits performed pursuant to paragraph 1 shall be performed by organisations which:

Amendment

2. Audits performed pursuant to paragraph 1 shall be performed by organisations which ***have been selected by the Commission and:***

Or. en

Amendment 1665

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Andrea Caroppo, Barbara Thaler

Proposal for a regulation

Article 28 – paragraph 2 – point a

Text proposed by the Commission

(a) are independent from the very large online platform concerned;

Amendment

(a) are independent from the very large online platform concerned ***and have not provided any other service to the platform***

in the previous 12 months;

Or. en

Amendment 1666

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) are independent from the very large
online platform concerned;

(a) are ***legally and financially***
independent from the very large online
platform concerned;

Or. en

Amendment 1667

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) ***have proven expertise in the area
of risk management, technical
competence and capabilities;***

deleted

Or. en

Amendment 1668

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

Proposal for a regulation

Article 28 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) have proven expertise in the area of risk management, technical competence and capabilities;

(b) have proven expertise in the area of risk management, technical competence and capabilities ***certified by qualified and accredited certification body***;

Or. en

Amendment 1669

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) have proven objectivity and professional ethics, based in particular on adherence to codes of practice or appropriate standards.

(c) have ***been recognised and vetted by the Agency on the basis of their*** proven objectivity, ***subject-specific expertise*** and professional ethics, based in particular on adherence to codes of practice or appropriate standards

Or. en

Amendment 1670

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 28 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) have proven objectivity and professional ethics, ***based in particular on adherence to codes of practice or appropriate standards.***

(c) have proven objectivity and professional ethics.

Or. fr

Amendment 1671

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) natural persons performing the audits commit not to work for the very large online platform audited or a professional organisation or business association of which the platform is a member for a period of three years after their position in the auditing organisation has ended.

Or. en

Amendment 1672

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 28 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) have been certified by the Commission for the performance of this task;

Or. en

Amendment 1673

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The organisations that perform the audits shall establish an audit report for

3. The organisations that perform the audits shall establish an audit report for

each audit. The report shall be in writing and include at least the following:

each audit *subject as referred to in point (a) of paragraph 1*. The report shall be in writing and include at least the following:

Or. en

Amendment 1674

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) a declaration of interests;

Or. en

Amendment 1675

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 28 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) a description of the *main* findings drawn from the audit;

(d) a description of the findings drawn from the audit *and a summary of the main findings*;

Or. en

Amendment 1676

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 28 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(fa) a description of specific elements

that could not be audited, and an explanation of why these could not be audited;

Or. en

Amendment 1677

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 28 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(fa) a description of specific elements that could not be audited, and an explanation of why these could not be audited;

Or. en

Justification

Additional information, which will help to better understand the outcome of an audit.

Amendment 1678

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 28 – paragraph 3 – point f b (new)

Text proposed by the Commission

Amendment

(fb) where the audit opinion could not reach a conclusion for specific elements within the scope of the audit, a statement of reasons for the failure to reach such conclusion.

Or. en

Amendment 1679

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 28 – paragraph 3 – point f b (new)

Text proposed by the Commission

Amendment

(fb) where the audit opinion could not reach a conclusion for specific elements within the scope of the audit, a statement of reasons for the failure to reach such conclusion.

Or. en

Justification

Additional information, which will help to better understand the outcome of an audit.

Amendment 1680

Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit
on behalf of the ID Group

Proposal for a regulation

Article 28 – paragraph 4

Text proposed by the Commission

Amendment

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to them with a view to take the necessary measures to implement them. They shall, within one month from receiving those recommendations, adopt an audit implementation report setting out those measures. ***Where they do not implement the operational recommendations, they shall justify in the audit implementation report the reasons for not doing so and set out any alternative measures they may have taken to address any instances of non-compliance identified.***

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to them with a view to take the necessary measures to implement them. They shall, within one month from receiving those recommendations, adopt an audit implementation report setting out those measures.

Amendment 1681**Marcel Kolaja****Proposal for a regulation****Article 28 – paragraph 4***Text proposed by the Commission*

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to them ***with a view to take the necessary measures to implement them.*** They shall, within one month from receiving those recommendations, adopt an audit implementation report ***setting out those measures.*** Where they do not implement the operational recommendations, they shall justify in the audit implementation report the reasons for not doing so and set out any alternative measures they may have taken to address any instances of non-compliance identified.

Amendment

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to them. They shall, within one month from receiving those recommendations, adopt an audit implementation report. Where they do not implement the operational recommendations, they shall justify in the audit implementation report the reasons for not doing so and set out any alternative measures they may have taken to address any instances of non-compliance identified.

Or. en

Amendment 1682**Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak**
on behalf of the Greens/EFA Group**Proposal for a regulation****Article 28 – paragraph 4***Text proposed by the Commission*

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to ***them with a view to take the necessary measures to implement*** them. They shall, within one month from receiving those recommendations, adopt an audit

Amendment

4. Very large online platforms receiving an audit report that is not positive shall take due account of any operational recommendations addressed to them. They shall, within one month from receiving those recommendations, adopt an audit implementation report setting out those measures. Where they do not implement

implementation report setting out those measures. Where they do not implement the operational recommendations, they shall justify in the audit implementation report the reasons for not doing so and set out any alternative measures they may have taken to address any instances of non-compliance identified.

the operational recommendations, they shall justify in the audit implementation report the reasons for not doing so and set out any alternative measures they may have taken to address any instances of non-compliance identified.

Or. en

Amendment 1683

Alexandra Geese

on behalf of the Greens/EFA Group

Rasmus Andresen, Kim Van Sparrentak

Proposal for a regulation

Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Agency shall decide on the subject matter of audits to be performed and choose the auditing organisation for the relevant audited subject matter as referred to in paragraph 1. Yearly audits of very large online platforms may not be performed by the same auditing organisation for more than three consecutive times. The Agency shall monitor the implementation by the very large platforms of any operational recommendations addressed to them.

The Agency shall publish and regularly update a list of vetted organisations that perform audits of very large online platforms. The Agency shall publish and regularly review detailed criteria such organisations need to meet in order to be vetted.

Or. en

Amendment 1684

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Morten Løkkegaard, Karen

Melchior, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 28 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Where an audit report finds in accordance with paragraph 1 that total compliance or partial compliance with only minor issues has been found, the very large online platform may request from the Commission a waiver or delay to further auditing reports. When granted, the maximum delay shall be two years since the last auditing report.

Or. en

Justification

Where a VLOP is acting responsibly, they should be able to report every other year.

Amendment 1685

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Liesje Schreinemacher

Proposal for a regulation

Article 28 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Where an audit report contains information that could be misused in order to harm the security and privacy of receptions of the platform, the very large online platform may request from the Commission that such information is removed or summarised in any public version of the audit report. The Commission shall consider any such requests and may grant such a request if deemed merited.

Or. en

Justification

Too many information can lead to the gaming of a system to a negative effect on consumers and other users. Care must be taken to prevent this.

Amendment 1686

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation **Article 28 a (new)**

Text proposed by the Commission

Amendment

Article 28a

European Social Media Council

1. An independent advisory group named ‘European Social Media Council’ (the ‘Council’) is established with a view to:

(a) issuing non-binding guiding principles and recommendations to improve content moderation processes;

(b) fostering a participative and transparent public debate around content moderation processes; and

(c) issuing policy and enforcement recommendations to the Commission and the Agency, and requesting audits from the Agency, where necessary.

2. Very large online platforms shall commit to take the necessary technical and organisational measures to ensure that any operational recommendations addressed to them by the Council are implemented. To this end, they shall engage with the Council in good faith.

3. The status of member of the Social Media Council shall be awarded by the Commission, where the applicant has demonstrated to meet all of the following conditions:

(a) it represents recipients of the service, or groups potentially impacted by

services;

(b) it has particular expertise and competence in the field of international human rights law, content moderation, algorithmic systems, media, consumer protection, disinformation, hateful speech, in areas of the risk assessments as referred to in Article 26, or other areas identified by audit reports;

(c) in case of natural persons, it is independent from any online platform and from commercial interest;

(d) in case of legal persons, it operates on a not-for-profit basis, is independent from commercial interest and has been properly constituted in accordance with the law of a Member State.

4. The Commission shall revoke the membership status if it determines, following an investigation either on its own initiative or on the basis information received by third parties that the member no longer meets the conditions set out in paragraph 3. Before revoking that status, the Commission shall afford the natural or legal person an opportunity to react to the findings of its investigation and its intention to revoke the status as a member of the Council.

5. The European Social Media Council shall publish in a standardised and machine-readable format, at least once a year, clear, easily comprehensible and detailed reports on its activities during the relevant period. 5. The Commission shall adopt delegated acts in accordance with Article 69, after consulting the Agency, to lay down a specific set of procedures for the functioning and financing of the Council.

Or. en

Justification

Social Media Councils were endorsed by former UN Special Rapporteur for Freedom of

Speech David Kaye who recommended in April 2018 that “all segments of the ICT sector that moderate content or act as gatekeepers should make the development of industry-wide accountability mechanisms (such as a social media council) a top priority” (UN General Assembly 2018, para. 72) . This amendment establishes ‘Social Media Councils’ made up of members of civil society, experts for freedom of expression, democracy and technology, and representatives of groups particularly affected by hate speech to publicly debate exactly these key questions about online communication in the future. They can trigger debates, identify good and bad platform practice, and issue recommendations for action to politicians. It is important, however, that they should not make decisions about the (il)legality of individual posts.

Amendment 1687
Róża Thun und Hohenstein

Proposal for a regulation
Article 29

Text proposed by the Commission

Amendment

Article 29

deleted

Recommender systems

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

2. Where several options are available pursuant to paragraph 1, very large online platforms shall provide an easily accessible functionality on their online interface allowing the recipient of the service to select and to modify at any time their preferred option for each of the recommender systems that determines the relative order of information presented to them.

Or. en

Amendment 1688

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 29 – title

Text proposed by the Commission

Amendment

Recommender systems

Recommender systems *of very large
online platforms*

Or. en

Amendment 1689

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 29 – paragraph 1

Text proposed by the Commission

Amendment

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679. *deleted*

Or. en

Justification

Moved up to apply this to all recommender systems. See Article 24a new.

Amendment 1690
Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation
Article 29 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, ***including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.***

Amendment

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available. ***Online platforms shall ensure consumers are not profiled by default, unless consumers genuinely opt-in, in line with the requirements established under Regulation (EU) 2016/679. Online platforms shall not subvert or impair consumers' autonomy, decision-making, or choice via the structure, function or manner of operation of their online interface or any part thereof.***

Or. en

Amendment 1691
Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 29 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters

Amendment

1. Very large online platforms that use recommender systems shall set out in their terms and conditions ***and on a designated web page that can be directly reached and easily found from the very large online platforms' online interface***, in a clear, accessible and easily comprehensible manner ***for the general public***, the main

that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

parameters used in their recommender systems, ***the optimisation goals of their recommender systems*** as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Or. en

Justification

If recipients are given these options, they should be able to do so in an easy manner.

Amendment 1692

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation Article 29 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Amendment

1. Very large online platforms that use recommender systems shall set out in their terms and conditions ***and on a designated web page that can be directly reached from the very large online platforms' online interface***, in a clear, accessible and easily comprehensible manner ***for the general public***, the main parameters used in their recommender systems, ***the optimisation goals of their recommender systems*** as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Or. en

Amendment 1693

Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek

Proposal for a regulation

Article 29 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in *their recommender systems, as well as any options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.*

Amendment

1. Very large online platforms that use recommender systems *or any other systems used to determine the order of presentation of content, including those which decrease the visibility of content,* shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in *these* systems.

Or. en

Amendment 1694

Geert Bourgeois

Proposal for a regulation

Article 29 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as *any* options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Amendment

1. Very large online platforms that use recommender systems shall set out in their terms and conditions, in a clear, accessible and easily comprehensible manner, the main parameters used in their recommender systems, as well as options for the recipients of the service to modify or influence those main parameters that they may have made available, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Or. nl

Amendment 1695

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

This duty is without prejudice to any trade secrets regarding the underlying algorithms. Very large online platforms are not required to disclose any information which could easily be used to manipulate search results to the detriment of customers and other end users.

Or. en

Justification

Too many information can lead to the gaming of a system to a negative effect on consumers and other users. Care must be taken to prevent this.

Amendment 1696

Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek

Proposal for a regulation

Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The main parameters referred to in paragraph 1 of this Article shall include, at least the following elements:

- (a) the main criteria used by the relevant recommender system;***
- (b) how these criteria are prioritised;***
- (c) the optimisation goal of the relevant recommender system; and***
- (d) an explanation of the role that the behaviour of the recipients of the service plays in how the relevant recommender system functions.***

Or. en

Amendment 1697

Leszek Miller, Maria Grapini, Marc Angel, Evelyne Gebhardt

Proposal for a regulation

Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The parameters used in recommender systems shall always be fair and non-discriminatory.

Or. en

Amendment 1698

Krzysztof Hetman

Proposal for a regulation

Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The parameters used in recommender systems shall always be fair and non-discriminatory.

Or. en

Amendment 1699

Adam Bielan, Kosma Złotowski, Beata Mazurek

Proposal for a regulation

Article 29 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Very large online platforms shall provide options for the recipients of the service to modify or influence parameters referred to in paragraph 2, including at least one option which is not based on profiling, within the meaning of Article 4 (4) of Regulation (EU) 2016/679.

Amendment 1700**Adam Bielan, Kosma Złotowski, Beata Mazurek****Proposal for a regulation****Article 29 – paragraph 2***Text proposed by the Commission*

2. ***Where several options are available pursuant to paragraph 1***, very large online platforms shall provide an easily accessible functionality on their online interface allowing the recipient of the service to select and to modify at any time their preferred option for each of the recommender systems that determines the relative order of information presented to them.

Amendment

2. Very large online platforms shall provide an easily accessible functionality on their online interface allowing the recipient of the service to;

(a) select and to modify at any time their preferred option for each of the recommender systems that determines the relative order of information presented to them;

(b) ***select third party recommender systems.***

Or. en

Amendment 1701**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng****Proposal for a regulation****Article 29 – paragraph 2***Text proposed by the Commission*

2. Where several options are available pursuant to paragraph 1, very large online platforms shall provide ***an*** easily accessible functionality on their online interface allowing the recipient of the service to select and to modify at any time their

Amendment

2. Where several options are available pursuant to paragraph 1, very large online platforms shall provide ***clear and*** easily accessible functionality on their online interface allowing the recipient of the service to select and to modify at any time

preferred option for each of the recommender systems that determines the relative order of information presented to them.

their preferred option for each of the recommender systems that determines the relative order of information presented to them.

Or. en

Amendment 1702

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Obligations pursuant to paragraphs 1 and 2 shall not oblige a very large online platform to disclose information that will lead to significant vulnerabilities for the security of its service or the protection of confidential information, in particular trade secrets and intellectual property rights. Further, very large online platforms shall not be required to enable modification of systems essential to uphold the safety and security of the service.

Or. en

Amendment 1703

Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In addition to the obligations applicable to all online platforms, very large online platforms shall offer to the recipients of the service the choice of using recommender systems from third party providers, where available. Such

third parties must be offered access to the same operating system, hardware or software features that are available or used in the provision by the platform of its own recommender systems.

Or. en

Justification

In line with new Article 33a new and based on the IMCO INL (resolution 2020/2018(INL), par. 81 and Chapter VII). An interoperability requirement has been recommended in varying forms by the special advisers to European Commission Vice-President Margrethe Vestager, the UK's Furman and digital advertising reviews, and the US Stigler Report. The EDPS recommends to consider introducing interoperability requirements for very large online platforms (EDPS opinion, par. 84-85). The concentration of power with a few large social media platforms means users have limited choice, particularly on issues of privacy, accessibility, and free expression. Many users do not have a real choice to switch to privacy-friendly and secure alternative platforms because they are locked in platforms becoming more popular, to be able to receive essential messages related to their work, education etc. In order to overcome the lock-in effect of closed platforms and to ensure competition and consumer choice, users of very large platforms shall be given the ability to access cross-platform interaction via open interfaces. The interoperability obligation does not prevent platforms from offering additional and new functions to their users.

Amendment 1704

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Online platforms shall ensure that their online interface is designed in such a way that it does not risk misleading or manipulating the recipients of the service.

Or. en

Amendment 1705

Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 29 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Very large online platforms may only limit access to third-party recommender systems temporarily and in exceptional circumstances, when justified by an obligation under Article 18 of Directive (EU) 2020/0359 and Article 32(1)(c) of Regulation (EU) 2016/679. Such limitations shall be notified within 24 hours to affected third parties and to the Agency. The Agency may require such limitations to be removed or modified where it decides by majority vote they are unnecessary or disproportionate.

Or. en

Justification

In line with the IMCO INL report P9_TA(2020)0272.

Amendment 1706

Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 29 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. Very large online platforms shall not make commercial use of any of the data that is generated or received from third parties as a result of interoperability activities for purposes other than enabling those activities. Any processing of personal data related to those activities shall comply with Regulation (EU) 2016/679, in particular Articles 6(1)(a) and 5(1)(c).

Or. en

Justification

In line with the IMCO INL P9_TA(2020)0272 (resolution 2020/2018(INL), par. 81 and Chapter VII). An interoperability requirement has been recommended in varying forms by the special advisers to European Commission Vice-President Margrethe Vestager, the UK's Furman and digital advertising reviews, and the US Stigler Re-port. The EDPS recommends to consider introducing interoperability requirements for very large online platforms (EDPS opinion, par. 84-85). The concentration of power with a few large social media platforms means users have limited choice, particularly on issues of privacy, accessibility, and free expression. Many users do not have a real choice to switch to privacy-friendly and secure alternative platforms because they are locked in platforms becoming more popular, to be able to receive essential messages related to their work, education etc. In order to overcome the lock-in effect of closed platforms and to ensure competition and consumer choice, users of very large platforms shall be given the ability to access cross-platform interaction via open interfaces. The interoperability obligation does not prevent platforms from offering additional and new functions to their users.

Amendment 1707 **Róza Thun und Hohenstein**

Proposal for a regulation **Article 29 a (new)**

Text proposed by the Commission

Amendment

Article 29a

Additional requirements for recommender systems

- 1. Very large online platforms that use recommender systems may provide the recipients of the service with the options to modify or influence the optimisation goals and rank or select the recommendation criteria of relevant systems, made available pursuant to paragraph 4 of Article 23a.***
- 2. If very large online platforms decide not to provide the options referred to in paragraph 1, they shall offer users the choice of recommender systems from third party providers where available. Such third parties must be offered access to the same operating system, hardware or software features that are available or used in the provision by the very large online platform of its own recommender***

systems.

3. The Commission shall, after consulting the Board, adopt delegated acts laying down the requirements for third party providers referred to in paragraph 2 to ensure an adequate standard of data protection, data security as well as diversity and quality of recommended information in the provision of third party services.

Or. en

Amendment 1708

Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Marc Angel

Proposal for a regulation Article 29 a (new)

Text proposed by the Commission

Amendment

Article 29a

Recommendation systems and individual or target-group specific pricing on online market places

The description shall also include information on whether users are shown different prices depending on individual, as defined in Article 6 (1) ii) (ea) of Directive 2011/83/EU or target group-specific factors, in particular devices used and geographical locations. Where applicable, the platform shall make reference to these factors in a clearly visible manner.

Or. en

Amendment 1709

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Laurence Farreng, Karen Melchior, Stéphane Séjourné, Christophe Grudler, Marco Zullo

Proposal for a regulation
Article 30 – title

Text proposed by the Commission

Amendment

Additional **online advertising** transparency

Additional transparency **for online advertisements and ‘deep fakes’ audiovisual media**

Or. en

Amendment 1710

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 30 – title

Text proposed by the Commission

Amendment

Additional online advertising **transparency**

Additional **transparency for** online advertising **and "deep fakes" audiovisual media**

Or. en

Justification

title changed to match additional content

Amendment 1711

Liesje Schreinemacher, Bart Groothuis, Hilde Vautmans, Marco Zullo, Karen Melchior, Morten Løkkegaard, Adrián Vázquez Lázara, Sandro Gozi

Proposal for a regulation
Article 30 – title

Text proposed by the Commission

Amendment

Additional online advertising transparency

Additional online advertising transparency **and protection**

Or. en

Amendment 1712

Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-Marques, Clara Aguilera, Adriana Maldonado López, Sylvie Guillaume, Biljana Borzan, Paul Tang, Brando Benifei, Monika Beňová, Marc Angel

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until **one** year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available ***and searchable through easy to access, functional and reliable tools*** through application programming interfaces a repository containing the information referred to in paragraph 2, until ***five*** year after the advertisement was displayed for the last time on their online interfaces. ***They shall ensure multi-criterion queries can be performed per advertiser and per all data points present in the advertisement, and provide aggregated data for these queries on the amount spent, the target of the advertisement, and the audience the advertiser wishes to reach.*** They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Justification

By providing a longer historical reach in the repository, researchers and civil society would be able to better analyse past disinformation campaigns. This amendment also makes it possible to have reliable and accessible research tools that can prove beneficial to the broader public to further the accountability of online advertisement. In addition, and in order to improve accountability of VLOPs, online repositories must allow researchers, journalists, and civil society the option of performing deep research with the above-mentioned criteria.

Amendment 1713

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until **one year** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a ***searchable, easy to access and functional*** repository containing the information referred to in paragraph 2, until ***three years*** after the advertisement was displayed for the last time on their online interfaces. ***They shall ensure multi-criterion queries can be performed per advertiser and per all data points present in the advertisement.*** They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed. ***They shall make sure that if advertisements have been labelled, moderated, or disabled, these labels shall be clearly visible and identifiable for users and researchers.***

Or. en

Justification

Researchers need access to the data for a period of at least three years after the advertisement was displayed. Malign actors, for example, the owners of a network of assets from an online platform engaging in Coordinated Inauthentic Behaviour, have been known to re-emerge several years after an initial takedown. By providing a longer historical reach in the repository, such a provision would enable researchers and civil society to better analyse past disinformation campaigns. This amendment also makes it possible to have reliable and accessible research tools that can prove beneficial to the broader public to further the accountability of online advertisement.

Amendment 1714
Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make **publicly** available through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make available **to relevant authorities, publishers, advertisers and vetted researchers that meet the requirements listed in paragraph 4 of this Article or Article 31** through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Amendment 1715
Morten Løkkegaard

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed. ***The data shall be validated by relevant European and international standardisation bodies.***

Or. en

Justification

The desired transparency benefits in online advertising can only be reached if the shared data is validated by European and international standardization bodies.

Amendment 1716

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Karen Melchior, Laurence Farreng, Stéphane Séjourné

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make **publicly** available through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make available ***to relevant authorities and vetted researchers, meeting the requirements of Article 31(4)***, through application programming interfaces a repository containing the information referred to in paragraph 2, until one year after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Amendment 1717

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available ***in an easily accessible and comprehensible format and*** through

information referred to in paragraph 2, until **one year** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

application programming interfaces a repository containing the information referred to in paragraph 2, until **seven years** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Justification

The retention period is far too short: Facebook currently retains ads for seven years, which has already been criticised as being too short by researchers.

Amendment 1718 **Róza Thun und Hohenstein**

Proposal for a regulation **Article 30 – paragraph 1**

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until **one year** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available, **in particular**, through application programming interfaces a repository containing the information referred to in paragraph 2, until **two years** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Amendment 1719 **Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo**

Vera, Barbara Thaler

**Proposal for a regulation
Article 30 – paragraph 1**

Text proposed by the Commission

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until **one year** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Amendment

1. Very large online platforms that display advertising on their online interfaces shall compile and make publicly available through application programming interfaces a repository containing the information referred to in paragraph 2, until **six months** after the advertisement was displayed for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been displayed.

Or. en

Amendment 1720

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

**Proposal for a regulation
Article 30 – paragraph 2 – point a**

Text proposed by the Commission

(a) the content of the advertisement;

Amendment

(a) the content of the advertisement, ***in particular, the name of the product, service or brand and the object of the advertisement;***

Or. en

Amendment 1721

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Marco Zullo, Stéphane Séjourné, Karen Melchior, Laurence Farreng

**Proposal for a regulation
Article 30 – paragraph 2 – point a**

Text proposed by the Commission

Amendment

(a) the content of the advertisement;

(a) the content of the advertisement,
***including the name of the product, service
or brand and the object of the
advertisement;***

Or. en

Amendment 1722

Karen Melchior, Anna Júlia Donáth

Proposal for a regulation

Article 30 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the natural or legal person on
whose behalf the advertisement is
displayed;

(b) The natural or legal person on
whose behalf the advertisement is
displayed ***and any related payments
received;***

Or. en

Amendment 1723

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 30 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the natural or legal person on
whose behalf the advertisement is
displayed;

(b) the ***identity and nationality of the***
natural or legal person on whose behalf the
advertisement is displayed;

Or. fr

Amendment 1724

**Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe
Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng, Marco Zullo**

Proposal for a regulation
Article 30 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

**(ba) the natural or legal person who
paid for the advertisement;**

Or. en

Amendment 1725

**Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten
Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-
Courtin, Liesje Schreinemacher, Bart Groothuis**

Proposal for a regulation
Article 30 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

**(ca) the natural or legal person or
group who paid for the advertisement;**

Or. en

Amendment 1726

**Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri,
Markus Buchheit**
on behalf of the ID Group

Proposal for a regulation
Article 30 – paragraph 2 – point d

Text proposed by the Commission

Amendment

**(d) whether the advertisement was
intended to be displayed specifically to
one or more particular groups of
recipients of the service and if so, the
main parameters used for that purpose;**

deleted

Or. en

Amendment 1727

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 2 – point d

Text proposed by the Commission

(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, **the main** parameters used for that purpose;

Amendment

(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, **all** parameters used for that purpose ***including any parameters used to exclude particular groups;***

Or. en

Amendment 1728

Róża Thun und Hohenstein

Proposal for a regulation

Article 30 – paragraph 2 – point d

Text proposed by the Commission

(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, the **main** parameters used for that purpose;

Amendment

(d) whether the advertisement was intended to be displayed specifically to one or more particular groups of recipients of the service and if so, the parameters used for that purpose;

Or. en

Amendment 1729

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) where it is disclosed, a copy of the content of commercial communications published on the very large online

platforms that are not marketed, sold or arranged by the very large online platform, which have through appropriate channels been declared as such to the very large online platform;

Or. en

Justification

The Audiovisual Media Services Directive requires video-sharing platforms to operate a functionality allowing users to disclose their influencer marketing activities to the platforms, this would ensure that platforms are transparent on these disclosures.

Amendment 1730

Róża Thun und Hohenstein

Proposal for a regulation

Article 30 – paragraph 2 – point e

Text proposed by the Commission

(e) the total number of recipients of the service reached and, where applicable, aggregate numbers for the group or groups of recipients *to whom the advertisement was targeted specifically*.

Amendment

(e) the total number of recipients of the service reached and, where applicable, aggregate numbers *of the size of the group or groups that were intended to be targeted by the advertiser, as well as aggregate numbers* for the *specific* group or groups of recipients *eventually reached, with an indication of at least a demographic and geographic distribution of the recipients in each of these categories*.

Or. en

Amendment 1731

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 2 – point e

Text proposed by the Commission

(e) the total number of recipients of the

Amendment

(e) the total number of recipients of the

service reached and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

service reached ***in terms of impressions and engagements of the advertisement*** and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

Or. en

Amendment 1732

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Laurence Farreng, Karen Melchior, Stéphane Séjourné, Christophe Grudler, Marco Zullo

Proposal for a regulation

Article 30 – paragraph 2 – point e

Text proposed by the Commission

(e) the total number of recipients of the service reached and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

Amendment

(e) the total number of recipients of the service reached ***in each country*** and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

Or. en

Amendment 1733

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

Proposal for a regulation

Article 30 – paragraph 2 – point e

Text proposed by the Commission

(e) the total number of recipients of the service reached and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

Amendment

(e) the total number of recipients of the service reached ***in each country*** and, where applicable, aggregate numbers for the group or groups of recipients to whom the advertisement was targeted specifically.

Or. en

Amendment 1734

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) in case of an advertisement removed on the basis of a notice submitted in accordance with Article 14 or an order as set out in Article 8, the information referred to in points (b) to (d) of paragraph 2;

Or. en

Amendment 1735

Geoffroy Didier, Sabine Verheyen, Brice Hortefeux

Proposal for a regulation

Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Very large online platforms that display advertising on their online interfaces shall conduct at their own expense, upon the request of advertisers, independent audits performed by organisations complying with the criteria set out in Article 28(2), on a reasonable frequency, under fair and proportionate conditions agreed upon between platforms and advertisers to:

(a) conduct quantitative and qualitative assessment of cases where advertising is associated with illegal content or with content incompatible with their terms and conditions;

(b) detect fraudulent use of their services to fund illegal activities;

(c) assess the performance of their tools in terms of brand safety.

The report shall include an audit opinion of the performance of the tools of a very large online platform in terms of brand

safety, either positive, positive with comments or negative. Where the audit opinion is not positive, operational recommendations for specific measures to achieve compliance shall be provided.

Very large online platforms shall make the result of that audit available to advertisers upon their request.

Or. en

Justification

Proposal to address the recurring difficulties of advertisers in obtaining information on the quality and performance of their advertising campaigns, which remain continuously dependent on the tools and metrics provided by the platforms, without any possibility for them to test and verify these "proprietary" indicators of the platforms ("black box" effect). To this end, advertisers are asking for the ability to audit these proprietary metrics by third parties independent from the platforms. The objective of these independent brand safety audits is to allow brands and advertisers to verify the accuracy and precision of the reports established unilaterally by the platforms.

Amendment 1736

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

Proposal for a regulation

Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When very large online platforms sell advertising for display on their online interface, the contract signed with the buyer or the buyer's representative includes a clause providing that the platform guarantees that no content adjacent to the advertisement is incompatible with the terms and conditions of the platform or with the law of the Member States of residence of the recipients of the service to whom the advertisement will be displayed. Any clause to the contrary shall be null and void.

Or. en

Amendment 1737

Andreas Schieder, Christel Schaldemose, Evelyne Gebhardt, Maria Grapini, Paul Tang, Marc Angel

Proposal for a regulation

Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The archive must be easily accessible for users and contain a complaint and reporting option for users directly addressed to the platform and the responsible advertising service provider. The requirements for notifications under Art 14 also apply to notifications and complaints about advertising content.

Or. en

Amendment 1738

Liesje Schreinemacher, Bart Groothuis, Hilde Vautmans, Marco Zullo, Karen Melchior, Morten Løkkegaard, Adrián Vázquez Lázara, Sandro Gozi

Proposal for a regulation

Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Very large online platforms shall be prohibited from profiling children under the age of 16 for commercial practices, including personalized advertising, in compliance with industry-standards laid down in Article 34 and Regulation (EU) 2016/679.

Or. en

Amendment 1739

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Laurence Farreng, Stéphane Séjourné, Christophe Grudler, Karen Melchior

Proposal for a regulation
Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Board shall, after consulting trusted flaggers and vetted researchers, publish guidelines on the structure and organisation on repositories created pursuant to paragraph 1.

Or. en

Amendment 1740

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis

Proposal for a regulation
Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Board shall, after consulting with trusted flaggers and vetted researchers, publish guidelines on the structure and organisation of repositories created pursuant to paragraph 1.

Or. en

Justification

Due to the nature of the repositories, and before a standard is created, it is normal that the board would give some first guidelines.

Amendment 1741

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 30 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The online platform shall make

reasonable efforts to ensure that the information referred to in paragraph 2 is accurate and complete.

Or. en

Justification

The DSA should impose procedural requirements on platforms regarding to verify the identity of ad buyers. While it is impossible for the DSA to tackle fraud, dark money and prevent advertisers from funding proxy agents to buy ads in their own name, VLOPS can be expected to verify ad buyers' identity claims. Facebook has already ramped up the verification procedures for its "Ad Library", and started requiring more extensive documentation from prospective ad buyers, such as a proof of address or personal identification.

Amendment 1742

Andrea Caroppo, Salvatore De Meo, Carlo Fidanza

Proposal for a regulation

Article 30 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Very large online platforms that display advertising on their online interfaces shall conduct at their own expense, upon the request of advertisers and publishers, independent audits performed by organisations complying with the criteria set in Article 28(2), on a reasonable frequency, under fair and proportionate conditions agreed upon platforms, advertisers and publishers, to:

(a) conduct a quantitative and qualitative assessment of cases where advertising is associated with illegal content;

(b) detect fraudulent use of their services to fund illegal activities;

(c) assess the performance of their tools in terms of brand safety

The report shall include an audit opinion on the performance of their tools in terms of brand safety, either positive, positive with comments or negative and where the audit opinion is not positive, operational

recommendations on specific measures to achieve compliance. These platforms shall make available to advertisers and publishers, upon their request, the results of that audit.

Or. en

Amendment 1743

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Liesje Schreinemacher, Bart Groothuis

Proposal for a regulation

Article 30 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Where a very large online platform becomes aware that a piece of content is a deep fake, the provider shall label the content in a way that informs that the content is inauthentic and that is clearly visible for the recipient of the services.

Or. en

Justification

Deep Fakes are increasingly a problem online as technology improves. Therefore it is correct to label such content when a VLOP becomes aware of it. This, however, does not require that a VLOP to actively seek out such deep fakes or to remove them unless illegal.

Amendment 1744

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Karen Melchior, Laurence Farreng, Stéphane Séjourné, Marco Zullo

Proposal for a regulation

Article 30 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Very large online platforms shall make their best effort to detect inauthentic videos ('deep fakes'). When detecting such videos, they should label them as

inauthentic in a way that is clearly visible for the internet user.

Or. en

Amendment 1745

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 30 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. The very large online platform shall design and organise its online interface in such a way that recipients of the service can easily and efficiently exercise their rights under applicable Union law in relation to the processing of their data for each specific advertisement displayed to the data subject on the platform, in particular:

(a) to withdraw consent or to object to processing;

(b) to obtain access to the data concerning the data subject;

(c) to obtain rectification of inaccurate data concerning the data subject;

(d) to obtain erasure of data without undue delay.

Where a recipient exercises any of these rights, the online platform must inform any parties to whom the personal data concerned in points (a) to (d) have been enclosed.

Or. en

Justification

Recipients should have an easy and active way of interacting with advertising and control data exchange. This, however, does not affect the ability of the online platform from then excluding a recipient from its service.

Amendment 1746

Sandro Gozi, Stéphanie Yon-Courtin, Valérie Hayer, Fabienne Keller, Christophe Grudler, Stéphane Séjourné, Karen Melchior, Laurence Farreng

Proposal for a regulation

Article 30 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. Very large online platforms selling advertising for display on their online interface, shall ensure via standard contractual clauses with the purchasers of advertising space that the content with which the advertisement is associated is compliant with the terms and conditions of the platform, or with the law of the Member States where the recipients of the service to whom the advertisement will be displayed is located.

Or. en

Amendment 1747

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 30 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. Very large online platforms that display advertising on their online interfaces shall conduct at their own expense, and upon request of advertisers, independent audits performed by organisations complying with the criteria set out in Article 28(2). Such audits shall be based on fair and proportionate conditions agreed between platforms and advertisers, shall be conducted with a reasonable frequency and shall entail:

(a) conducting quantitative and qualitative assessment of cases where advertising is associated with illegal content or with content incompatible with

platforms' terms and conditions;

(b) monitoring for and detecting of fraudulent use of their services to fund illegal activities;

(c) assessing the performance of their tools in terms of brand safety.

The audit report shall include opinion on the performance of platforms' tools in terms of brand safety. Where the audit opinion is not positive, the report shall make operational recommendations to the platforms on specific measures in order to achieve compliance.

The platforms shall make available to advertisers, upon request, the results of such audit.

Or. en

Amendment 1748

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 30 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. Where a recipient exercises any of the rights referred to points (a), (c) or (d) in paragraph 2c, the online platform must without undue delay cease displaying advertisements using the personal data concerned or using parameters which were set using this data.

Or. en

Justification

It is logical that if consent is withdrawn, then data exchange should be stopped. This, however, does not affect the ability of the online platform from then excluding a recipient from its service due to a lack of consent.

Amendment 1749

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis

Proposal for a regulation

Article 30 – paragraph 2 e (new)

Text proposed by the Commission

Amendment

2e. Very large online platforms that display advertising on their online interfaces shall ensure that advertisers:

(a) can request and obtain information on where their advertisements have been placed;

(b) can request and obtain information on which broker treated their data;

Or. en

Justification

While it is not possible to give such information ex-ante, there is nothing that would prevent granting such information ex-post until the date of the request. In light of the repository, this data should be available.

Amendment 1750

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

Amendment

1. Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and ***within a reasonable period***, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services

1. Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and ***without delay***, specified in the request, ***full*** access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the

Coordinator and the Commission shall only use that data for those purposes.

Commission shall only use that data for those purposes. *With regard to moderation and recommender systems, very large online platforms shall provide upon request the Digital Services Coordinator or the Commission with access to algorithms and associated data that allow the detection of possible biases which could lead to the dissemination of illegal content, or content that is in breach with their terms and conditions, or presents threats to fundamental rights including freedom of expression. Where a bias is detected, very large online platforms shall expeditiously correct it following the recommendations of the Digital Services Coordinator or the Commission. Very large online platforms should be able to demonstrate their compliance at every step of the process pursuant to this Article.*

Or. en

Amendment 1751

Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso

Proposal for a regulation Article 31 – paragraph 1

Text proposed by the Commission

1. Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

Amendment

1. Very large online platforms shall provide the Digital Services Coordinator of establishment, *the Digital Services Coordinator of destination* or the Commission, upon their reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

Or. fr

Amendment 1752

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

1. Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

Amendment

1. Very large online platforms shall provide the Digital Services Coordinator of establishment or the Commission, upon their reasoned request and within a reasonable period, ***any case no longer than 72 hours***, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

Or. en

Amendment 1753

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

1. Very large online platforms shall provide the Digital Services Coordinator ***of establishment or the Commission, upon their*** reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes.

Amendment

1. Very large online platforms shall provide the Digital Services Coordinator or ***an independent enforcement and monitoring unit of the Agency, upon*** reasoned request and within a reasonable period, specified in the request, access to data that are necessary to monitor and assess compliance with this Regulation. That Digital Services Coordinator and the Commission shall only use that data for those purposes

Or. en

Amendment 1754

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation Article 31 – paragraph 2

Text proposed by the Commission

2. Upon a reasoned request from the Digital Services Coordinator of establishment or the **Commission**, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1).

Amendment

2. Upon a reasoned request from **at least three Digital Services Coordinators of destination**, the Digital Services Coordinator of establishment or the **Agency**, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers, **vetted not-for-profit bodies, organisations or associations or vetted media organisations** who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification, **mitigation** and understanding of systemic risks as set out in Article 26(1) **and Article 27(1)**.

Or. en

Justification

Adding a possibility for DSCs of destination to request access to platform data for vetted organisations to avoid a bottleneck in the Member State of establishment, which is also in line with the supervision provisions in Article 50.

Amendment 1755

Karen Melchior, Anna Júlia Donáth

Proposal for a regulation Article 31 – paragraph 2

Text proposed by the Commission

2. Upon a reasoned request from the Digital Services Coordinator of establishment or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted

Amendment

2. Upon a reasoned request from the Digital Services Coordinator of establishment or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted

researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1).

researchers who meet the requirements in paragraphs 4 of this Article *or civil society organisations engaged in monitoring Rule of Law, Fundamental Rights and European values*, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1) *or educational purposes*.

Or. en

Amendment 1756

Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. Upon a reasoned request from the Digital Services Coordinator of establishment or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1).

Amendment

2. Upon a reasoned request from the Digital Services Coordinator of establishment, *the Digital Services Coordinator of destination* or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in Article 26(1).

Or. fr

Amendment 1757

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. Upon a reasoned request from the

Amendment

2. Upon a reasoned request from the

Digital Services Coordinator of establishment or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding of systemic risks as set out in **Article 26(1)**.

Digital Services Coordinator of establishment, **three Digital Services Coordinators of destination** or the Commission, very large online platforms shall, within a reasonable period, as specified in the request, provide access to data to vetted researchers who meet the requirements in paragraphs 4 of this Article, for the sole purpose of conducting research that contributes to the identification and understanding **and mitigation** of systemic risks as set out in **Articles 26 and 27**.

Or. en

Amendment 1758

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. Very large online platforms shall provide access to data pursuant to paragraphs 1 and 2 through online databases or application programming interfaces, as appropriate.

Amendment

3. Very large online platforms shall provide access to data pursuant to paragraphs 1 and 2 through online databases or application programming interfaces, as appropriate, **and with an easily accessible and user-friendly mechanism to search for multiple criteria, such as those reported in accordance with the obligations set out in Articles 13, 23 and 33**.

Or. en

Justification

Access to smaller, specific, and easily searchable datasets is more important to vetted researchers than a large database. The regulation must be attentive to the risk of flooding researchers with unnecessary data that will render the scrutiny of online platforms more difficult.

Amendment 1759

Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-

Marques, Clara Aguilera, Adriana Maldonado López, Biljana Borzan, Paul Tang, Evelyne Gebhardt, Brando Benifei, Monika Beňová, Marc Angel

**Proposal for a regulation
Article 31 – paragraph 3**

Text proposed by the Commission

3. Very large online platforms shall provide access to data pursuant to paragraphs 1 and 2 through online databases or application programming interfaces, as appropriate.

Amendment

3. Very large online platforms shall provide access to data pursuant to paragraphs 1 and 2 through online databases or application programming interfaces, as appropriate, ***and with an easily accessible and user-friendly mechanism to search for multiple criteria, such as those reported in accordance with the obligations set out in Articles 13 and 23***

Or. en

**Amendment 1760
Karen Melchior, Anna Júlia Donáth**

**Proposal for a regulation
Article 31 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. Upon request by the recipient of the service, or at least once a year, very large online platforms shall make available to the recipient of the service comprehensive information about the data concerning the recipient of the service that was used in the previous year. The information shall encompass a listing of the data that was collected, how it was used and with what third parties it was shared. Online platforms shall present this information in a way that makes it easy to understand.

Or. en

Amendment 1761

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Morten Løkkegaard, Svenja Hahn, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher, Bart Groothuis

Proposal for a regulation

Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted, researchers shall:

(1) be affiliated with academic institutions within the Union and the institutions certifies that the researcher is a researcher in good standing

(2) be independent from commercial interests, including any very large online platforms

(3) be independent from any government, administrative or other state bodies, outside the academic institution of affiliation if public,

(4) have undergone an independent background and security investigation, subject to the national legislation of the Member State of residence.

(5) be a resident of the Union;

(6) have proven records of expertise in the fields related to the risks investigated or related research methodologies, and

(7) shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. en

Justification

The rules for being "vetted" should be clearly set down in the Regulation

Amendment 1762

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be ***affiliated with academic institutions, be*** independent from commercial interests, have proven records of expertise in the ***fields*** related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted, researchers shall be independent from commercial interests, ***not receive any funding by any of the very large online platforms as defined in Article 25 and disclose all funding sources***, have proven records of expertise in the ***field*** related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

In order to be vetted, not-for-profit bodies, organisations or associations have to meet the requirements laid down in Article 68, have statutory objectives which are in the public interest, and have expertise related to the fields referred to in Article 26.

Or. en

Amendment 1763

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers ***shall be*** affiliated with academic institutions, be independent from commercial interests, have proven records

Amendment

4. In order to be vetted, researchers affiliated with academic institutions, ***journalists, civil society organisations or international organisations representing***

of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

the public interest, shall be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. en

Justification

To ensure effective monitoring of this regulation and international cooperation, also the researchers from the organisations such as NATO, OECD, WHO etc. should have possibility to be vetted and acquire the relevant data. The research community encompasses a wide variety of actors, not only researchers affiliated with academic institutions. Moreover, the GDPR provides safeguards and derogations relating to the processing of personal data for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in article 89.

Amendment 1764

Róza Thun und Hohenstein

Proposal for a regulation

Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted, researchers shall be affiliated with academic institutions ***or civil society organisations***, be independent from commercial interests, ***disclose the funding for their research***, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. en

Amendment 1765

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted, **scientific** researchers shall be affiliated with academic institutions, be independent from commercial interests **and the very large online platform it seeks data from**, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. en

Amendment 1766
Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted **by the Digital Services Coordinators**, researchers shall be affiliated with **European** academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. fr

Amendment 1767
Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle

Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Barbara Thaler

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Amendment

4. In order to be vetted, researchers shall be affiliated with academic institutions, be independent from commercial interests, ***disclose the funding of the research***, have proven records of expertise in the fields related to the risks investigated or related research methodologies, and shall commit and be in a capacity to preserve the specific data security and confidentiality requirements corresponding to each request.

Or. en

Amendment 1768

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 31 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Where a very large online platform or a Digital Services Coordinator has grounds to believe that a researcher is acting outside the purpose of paragraph 2 or no longer respects the conditions of paragraph 4, access to data shall be withdrawn and the Digital Services Coordinator of establishment shall decide if and when access shall be restored and under what conditions.

Or. en

Justification

There is a real risk that access granted could be abused. Therefore, the regulation must have the tools to allow the review of such cases.

Amendment 1769

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the **Board**, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

Amendment

5. The Commission shall, after consulting the **Agency**, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers, **or not-for-profit bodies, organisations or associations or media organisations** can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

Or. en

Amendment 1770

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down

Amendment

5. The Commission shall, after consulting the Board, **and no later than one year after entry into force of this legislation**, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the

the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

Or. en

Justification

The Commission should, without undue delay, encourage a timely adoption of the delegated act. Adding a time limit of one year after entry into force of the legislation will help to avoid protracted negotiations continuing indefinitely while granting the co-legislator and interested parties sufficient time to prepare.

Amendment 1771

Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-Marques, Clara Aguilera, Adriana Maldonado López, Sylvie Guillaume, Biljana Borzan, Paul Tang, Evelyn Gebhardt, Brando Benifei, Monika Beňová, Marc Angel

Proposal for a regulation Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of

Amendment

5. The Commission shall, after consulting the Board, **and no later than one year after entry into force of this legislation**, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of

their service.

confidential information, in particular trade secrets, and maintaining the security of their service.

Or. en

Amendment 1772

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, ***in particular trade secrets, and maintaining the security of their service.***

Amendment

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information.

Or. fr

Amendment 1773

Karen Melchior, Anna Júlia Donáth

Proposal for a regulation

Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to

Amendment

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to

share data pursuant to paragraphs 1 **and 2** and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

share data pursuant to paragraphs 1, **2 and 3a** and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, in particular trade secrets, and maintaining the security of their service.

Or. en

Amendment 1774

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 31 – paragraph 5

Text proposed by the Commission

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information, ***in particular trade secrets***, and maintaining the security of their service.

Amendment

5. The Commission shall, after consulting the Board, adopt delegated acts laying down the technical conditions under which very large online platforms are to share data pursuant to paragraphs 1 and 2 and the purposes for which the data may be used. Those delegated acts shall lay down the specific conditions under which such sharing of data with vetted researchers can take place in compliance with Regulation (EU) 2016/679, taking into account the rights and interests of the very large online platforms and the recipients of the service concerned, including the protection of confidential information and maintaining the security of their service.

Or. en

Amendment 1775

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-

Proposal for a regulation

Article 31 – paragraph 6 – introductory part

Text proposed by the Commission

6. Within 15 days following receipt of a request as referred to in paragraph **1 and** 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested **because one of** following **two** reasons:

Amendment

6. Within 15 days following receipt of a request as referred to in paragraph **1and** 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested **for the** following reasons:

(a) in case of request under paragraph 1, a very large online platform does not have and cannot obtain with reasonable effort access to the data;

(b) in case of request under paragraph 2, a very large online platform does not have access to the data or providing access to the data will lead to significant vulnerabilities for the security of its service or the protection of confidential information, in particular trade secrets.

Or. en

Amendment 1776

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 31 – paragraph 6 – introductory part

Text proposed by the Commission

6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because one of following two reasons:

Amendment

6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment, **the Digital Services Coordinator of destination** or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because

one of following two reasons:

Or. fr

Amendment 1777

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 6 – introductory part

Text proposed by the Commission

6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because ***one of following two reasons:***

Amendment

6. Within 15 days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because ***it does not have access to the data.***

Or. en

Amendment 1778

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 31 – paragraph 6 – introductory part

Text proposed by the Commission

6. Within **15** days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because ***one of following two reasons:***

Amendment

6. Within **3** days following receipt of a request as referred to in paragraph 1 and 2, a very large online platform may request the Digital Services Coordinator of establishment or the Commission, as applicable, to amend the request, where it considers that it is unable to give access to the data requested because

Or. en

Amendment 1779

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) it does not have access to the data; deleted

Or. en

Amendment 1780

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 6 – point b

Text proposed by the Commission

Amendment

(b) giving access to the data will lead to significant vulnerabilities for the security of its service or the protection of confidential information, in particular trade secrets. deleted

Or. en

Justification

This is in line with recital 60.

Amendment 1781

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 31 – paragraph 6 – point b

Text proposed by the Commission

Amendment

(b) giving access to the data will lead to significant vulnerabilities for the security of its service or the protection of confidential information, in particular deleted

trade secrets.

Or. en

Amendment 1782

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 31 – paragraph 6 – point b

Text proposed by the Commission

(b) giving access to the data will lead to significant vulnerabilities for the ***security of its service or the*** protection of confidential information, ***in particular*** trade secrets.

Amendment

(b) giving access to the data will lead to significant vulnerabilities for the protection of ***recipients'*** confidential information, ***including*** trade secrets.

Or. fr

Amendment 1783

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Axel Voss, Ivan Štefanec, Barbara Thaler

Proposal for a regulation

Article 31 – paragraph 7

Text proposed by the Commission

7. Requests for amendment pursuant to point (b) of paragraph 6 shall contain proposals for one or more alternative means through which access may be provided to the requested data or other data which are appropriate and sufficient for the purpose of the request.

The Digital Services Coordinator of establishment or the Commission shall decide upon the request for amendment within 15 days and communicate to the very large online platform its decision and, where relevant, the amended request and the new time period to comply with the request.

Amendment

deleted

Amendment 1784**Martin Schirdewan, Anne-Sophie Pelletier****Proposal for a regulation****Article 31 – paragraph 7***Text proposed by the Commission**Amendment*

7. Requests for amendment pursuant to point (b) of paragraph 6 shall contain proposals for one or more alternative means through which access may be provided to the requested data or other data which are appropriate and sufficient for the purpose of the request. *deleted*

The Digital Services Coordinator of establishment or the Commission shall decide upon the request for amendment within 15 days and communicate to the very large online platform its decision and, where relevant, the amended request and the new time period to comply with the request.

Amendment 1785**Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso****Proposal for a regulation****Article 31 – paragraph 7 – subparagraph 2***Text proposed by the Commission**Amendment*

The Digital Services Coordinator of establishment or the Commission shall decide upon the request for amendment within 15 days and communicate to the very large online platform its decision and, where relevant, the amended request and the new time period to comply with the request.

The Digital Services Coordinator of establishment, ***the Digital Services Coordinator of destination*** or the Commission shall decide upon the request for amendment within 15 days and communicate to the very large online platform its decision and, where relevant, the amended request and the new time period to comply with the request.

Amendment 1786

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Digital Service Coordinators and the Commission shall maintain a list containing the vetted researchers, not-for-profit bodies, organisations and association and, once a year, report the following information:

(a) the number of requests made to them as referred to in paragraphs 1 and 2;

(b) the number of such requests that have been declined by the Digital Service Coordinator or the Commission and the reasons for which they have been declined;

(c) the number of such requests that have been declined by the Digital Service Coordinator or the Commission, including the reasons for which they have been declined, following a request to the Digital Service Coordinator or the Commission from a very large online platform to amend a request as referred to in paragraphs 1 and 2.

Or. en

Amendment 1787

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 31 – paragraph 7 a (new)

7a. Digital Service Coordinators and the Commission shall, once a year, report the following information:

(a) the number of requests made to them as referred to in paragraphs 1 and 2;

(b) the number of such requests that have been declined or withdrawn by the Digital Service Coordinator or the Commission and the reasons for which they have been declined or withdrawn, including following a request to the Digital Service Coordinator or the Commission from a very large online platform to amend a request as referred to in paragraphs 1 and 2.

Or. en

Justification

It is normal that DSCs and the Commission are equally transparent as to their actions and decisions.

Amendment 1788

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 31 – paragraph 7 a (new)

7a. Upon completion of the research envisaged in Article 31(2), the vetted researchers shall make their research publicly available, taking into account the rights and interests of the recipients of the service concerned in compliance with Regulation (EU) 2016/679.

Or. en

Amendment 1789

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 31 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7b. Digital Service Coordinators and the Commission shall, once a year, report the following information:

(a) the number of requests made to them as referred to in paragraphs 1 and 2;

(b) the number of such requests that have been declined by the Digital Service Coordinator or the Commission and the reasons for which they have been declined;

(c) the number of such requests that have been declined by the Digital Service Coordinator or the Commission, including the reasons for which they have been declined, following a request to the Digital Service Coordinator or the Commission from a very large online platform to amend a request as referred to in paragraphs 1 and 2.

Or. en

Amendment 1790

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7b. The Commission shall issue regulatory guidance for very large online platforms and consult with the European Data Protection Board to facilitate the drafting and implementation of codes of conduct at Union level between very large

online platforms and vetted researchers, not-for-profit bodies, organisations or associations or media organisation to appropriate technical and organisational safeguards to be implemented before data can be shared pursuant to paragraphs 1 and 2.

Or. en

Amendment 1791

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 31 – paragraph 7 c (new)

Text proposed by the Commission

Amendment

7c. Upon completion of the research envisaged in Article 31(2), the vetted researchers, not-for-profit bodies, organisations or associations or media organisations, shall make their research publicly available, while fully respecting the rights and interests of the recipients of the service concerned in compliance with Regulation (EU) 2016/679.

Or. en

Amendment 1792

Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso

Proposal for a regulation

Article 32 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) cooperating with the Digital Services Coordinator of establishment and the Commission for the purpose of this Regulation;

(a) cooperating with the Digital Services Coordinator of establishment, **the Digital Services Coordinator of destination** and the Commission for the purpose of this Regulation;

Or. fr

Amendment 1793

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 32 – paragraph 3 – point a

Text proposed by the Commission

(a) cooperating with the Digital Services Coordinator of establishment **and** the Commission for the purpose of this Regulation;

Amendment

(a) cooperating with the Digital Services Coordinator of establishment, the Commission **and the Board** for the purpose of this Regulation;

Or. en

Amendment 1794

Jean-Lin Lacapelle, Virginie Joron, Alessandra Basso

Proposal for a regulation

Article 32 – paragraph 5

Text proposed by the Commission

5. Very large online platforms shall communicate the name and contact details of the compliance officer to the Digital Services **Coordinator of establishment** and the Commission.

Amendment

5. Very large online platforms shall communicate the name and contact details of the compliance officer to the Digital Services **Coordinators** and the Commission.

Or. fr

Amendment 1795

Barbara Thaler, Arba Kokalari

Proposal for a regulation

Article 32 a (new)

Text proposed by the Commission

Amendment

Article 32a

Points of contact established by very large online platforms

1. Very large online platforms shall

make their points of contacts referred to in Article 10 also accessible for professional entities which are under a specific relationship with the provider of intermediary services such as business users.

2. Direct communication, by electronic means and by telephone, shall be possible in the language of the terms and conditions which govern the contractual relationship between the provider of the online platform and the business user concerned.

3. A substantive written response to the request shall be provided within seven days.

Or. en

Amendment 1796

Andrey Kovatchev, Sandra Kalniete, Rasa Juknevičienė, Dace Melbārde

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every six months.

Amendment

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every six months. ***The reports shall include information disaggregated by Member State and clearly stating the human and technical resources allocated for the purpose of content moderation for each official EU language.***

Or. en

Justification

Large online platforms need to demonstrate that commitments to address disinformation are adequately satisfied across all Member States. For that purpose they need to provide data disaggregated by Member State and language market and also report on the resources devoted to fact-checking and content moderation in each Member State.

Amendment 1797

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation **Article 33 – paragraph 1**

Text proposed by the Commission

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every six months.

Amendment

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every six months ***in a standardised, machine-readable and easily accessible format.***

Or. en

Amendment 1798

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation **Article 33 – paragraph 1**

Text proposed by the Commission

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every ***six*** months.

Amendment

1. Very large online platforms shall publish the reports referred to in Article 13 within six months from the date of application referred to in Article 25(4), and thereafter every ***twelve*** months.

Or. en

Amendment 1799

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation **Article 33 – paragraph 1 – subparagraph 1 a (new)**

Text proposed by the Commission

Amendment

Such reports shall include content moderation information separated and presented for each Member State in which the services are offered and for the Union as a whole. The reports shall be published in at least one of the official languages of the Member States of the Union in which services are offered.

Or. en

Justification

In order to allow a better understanding of the reporting data, it should be presented in both a Member State and Union level of detail.

Amendment 1800

Marco Zullo

Proposal for a regulation

Article 33 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. In addition to the reports provided for in Article 13, very large online platforms shall make publicly available and transmit to the Digital Services Coordinator of establishment and the Commission, at least once a year and within 30 days following the adoption of the audit implementing report provided for in Article 28(4):

2. In addition to the reports provided for in Article 13, very large online platforms shall make publicly available, ***communicate to their recipients of the service*** and transmit to the Digital Services Coordinator of establishment and the Commission, at least once a year and within 30 days following the adoption of the audit implementing report provided for in Article 28(4):

Or. en

Amendment 1801

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 33 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) aggregate numbers for the total views and view rate of content prior to a removal on the basis of orders issued in accordance with Article 8 or content moderation engaged in at the provider's own initiative and under its terms and conditions.

Or. en

Justification

Adds transparency to see how effective VLOPs are when removing content, and how often a piece of content was viewed or shared before it is taken down.

Amendment 1802

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior, Marco Zullo

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The reports shall include content moderation broken down per Member State in which the services are offered and in the Union as a whole and shall be published in the official languages of the Member States of the Union.

Or. en

Amendment 1803

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 33 – paragraph 3

Text proposed by the Commission

Amendment

3. Where a very large online platform considers that the publication of ***deleted***

information pursuant to paragraph 2 may result in the disclosure of confidential information of that platform or of the recipients of the service, may cause significant vulnerabilities for the security of its service, may undermine public security or may harm recipients, the platform may remove such information from the reports. In that case, that platform shall transmit the complete reports to the Digital Services Coordinator of establishment and the Commission, accompanied by a statement of the reasons for removing the information from the public reports.

Or. en

Amendment 1804

Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-Marques, Clara Aguilera, Adriana Maldonado López, Sylvie Guillaume, Biljana Borzan, Paul Tang, Evelyne Gebhardt, Brando Benifei, Monika Beňová, Marc Angel

Proposal for a regulation Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

Algorithm accountability

- 1. When using automated decision-making, the very large online platform shall perform an assessment of the algorithms used.**
- 2. When carrying out the assessment referred into paragraph 1, the very large online platform shall assess the following elements:**
 - (a) the compliance with corresponding Union requirements;**
 - (b) how the algorithm is used and its impact on the provision of the service;**
 - (c) the impact on fundamental rights, including on consumer rights, as well as the social effect of the algorithms; and**

(d) whether the measures implemented by the very large online platform to ensure the resilience of the algorithm are appropriate with regard to the importance of the algorithm for the provision of the service and its impact on elements referred to in point (c).

3. When performing its assessment, the very large online platform may seek advice from relevant national public authorities, researchers and non-governmental organisations.

4. Following the assessment, referred to in paragraph 2, the very large online platform shall communicate its findings to the Commission. The Commission shall be entitled to request additional explanation on the conclusion of the findings, or when the additional information on the findings provided are not sufficient, any relevant information on the algorithm in question in relation to points a), b), c) and d) of Paragraph 2. The very large online platform shall communicate such additional information within a period of two weeks following the request of the Commission.

5. Where the very large online platform finds that the algorithm used does not comply with point (a), or (d) of paragraph 2 of this Article, the provider of the very large online platform shall take appropriate and adequate corrective measures to ensure the algorithm complies with the criteria set out in paragraph 2.

6. Where the Commission finds that the algorithm used by the very large online platform does not comply with point (a), (c), or (d) of paragraph 2 of this Article, on the basis of the information provided by the very large online platform, and that the very large online platform has not undertaken corrective measures as referred into Paragraph 5 of this Article, the Commission shall recommend appropriate measures laid down in this Regulation to stop the

infringement.

Or. en

Justification

In order to ensure that the algorithms does not impact the fundamental rights and complies with corresponding Union requirements, the very large online platforms must be oblige to perform an assessment of the algorithm used. In addition, the online platform should communicate the findings of their assessments to the Commission.

Amendment 1805
Róza Thun und Hohenstein

Proposal for a regulation
Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

Algorithmic accountability

- 1. Very large online platforms that deploy algorithms in content moderation systems, recommender systems and systems for selecting and displaying advertisements shall provide the Commission with the necessary information to perform an assessment of the algorithms used.***
- 2. When carrying out the assessment referred into paragraph 1, the Commission shall assess the following elements:***
 - (a) the compliance with corresponding Union requirements;***
 - (b) how the algorithm is used by the very large online platform and its impact on the provision of the service;***
 - (c) the impact on fundamental rights, including on consumer rights, as well as the social effect of the algorithms; and***
 - (d) whether the measures implemented by the very large online platform to ensure the resilience of the algorithm are appropriate with regard to***

the importance of the algorithm for the provision of the service and its impact on elements referred to in point (c).

3. When performing their assessment, the Commission may seek advice from relevant national public authorities, researchers and non-governmental organisations.

4. Following the assessment, referred to in paragraph 2, the Commission shall communicate its findings to the very large online platforms and allow them to provide additional explanation on the conclusion of the findings within a period of two weeks.

5. The Commission shall make the results of the assessments publicly available, including explanations provided by very large online platforms, without prejudice to Directive (EU) 2016/943.

6. Where the Commission finds that the algorithm used by the very large online platform does not comply with point (a), (c), or (d) of paragraph 2 of this Article, the Commission shall take appropriate measures laid down in this Regulation to stop the infringement, in particular in regard to changes in the design of the algorithm.

Or. en

Amendment 1806

Alexandra Geese, Rasmus Andresen, Marcel Kolaja, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation **Article 33 a (new)**

Text proposed by the Commission

Amendment

Article 33a

Interoperability

1. Very large online platforms shall

make the core functionalities of their services interoperable to enable cross-platform exchange of information with third parties. Very large online platforms shall publicly document all application programming interfaces they make available to that end.

2. Very large online platforms may only limit access to their core functionalities temporarily and in exceptional circumstances, when justified by an obligation under Article 18 of Directive [XX] on measures for a high common level of cybersecurity across the Union, repealing Directive (EU) 2016/1148 or Article 32(1)(c) of Regulation (EU) 2016/679. Such limitations shall be notified within 24 hours to affected third parties and to the Agency. The Agency may require such limitations to be removed or modified where it decides by majority vote they are unnecessary or disproportionate.

3. Very large online platforms shall not make commercial use of any of the data that is generated or received from third parties as a result of interoperability activities for purposes other than enabling those activities. Any processing of personal data related to those activities shall comply with Regulation (EU) 2016/679, in particular Articles 6(1)(a) and 5(1)(c).

4. The Commission shall adopt implementing measures specifying the nature and scope of the obligations set out in paragraph 1, including open standards and protocols such as application programming interfaces.

Or. en

Justification

In line with IMCO INL (resolution 2020/2018(INL), par. 81 and Chapter VII). An interoperability requirement has been recommended in varying forms by the special advisers to European Commission executive vice-president Margrethe Vestager, the UK's Furman and digital advertising reviews, and the US Stigler Report. The EDPS recommends to consider

introducing interoperability requirements for very large online platforms (EDPS opinion, par. 84-85). The concentration of power with a few large social media platforms means users have limited choice, particularly on issues of privacy, accessibility, and free expression. Many users do not have a real choice to switch to privacy-friendly and secure alternative platforms because they are locked in platforms becoming more popular, to be able to receive essential messages related to their work, education etc. In order to overcome the lock-in effect of closed platforms and to ensure competition and consumer choice, users of very large platforms shall be given the ability to access cross-platform interaction via open interfaces. The interoperability obligation does not prevent platforms from offering additional and new functions to their users.

Amendment 1807
Geert Bourgeois

Proposal for a regulation
Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

***Universal service obligation for very large
social online platforms***

- 1. Very large social online platforms fulfil an essential role in the public debate and social interaction. They shall have a universal service obligation to allow anyone, in principle, to post and receive content on their platforms. They shall provide that service without discrimination.***
- 2. Very large social online platforms shall remove, on their own initiative, only manifestly illegal content related to serious crimes.***
- 3. In the event of misuse as defined in Article 20(1), very large social online platforms may temporarily suspend their services to service recipients that frequently provide manifestly illegal content. When making their assessments in accordance with Article 20(3) and (3a), they shall take particular account of the universal service obligation imposed on them in principle.***
- 4. Any universal service tariffs shall be objective, transparent, non-***

discriminatory and fair.

Or. nl

Amendment 1808

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Krzysztof Hetman, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

Algorithm transparency

- 1. When using automated decision making, the very large online platform shall upon request provide the Commission with the necessary information to assess the algorithms used.**
- 2. When carrying out the assessments referred to in paragraph 1, the Commission shall consider the following elements:**
 - (a) the compliance with corresponding Union requirements;**
 - (b) potential negative effects on fundamental rights, including on consumer rights, through dissemination of illegal content;**
- 3. Following an assessment the Commission shall communicate its findings to the very large online platform and allow it to provide additional explanation.**
- 4. Where the Commission finds that the algorithm used by the very large online platform does not comply with point (a) or (b) of paragraph 2 of this Article, the Commission shall inform the Digital Service Coordinator of establishment of the very large online platform.**

Amendment 1809

Evelyne Gebhardt, Andreas Schieder, Marc Angel, Christel Schaldemose, Maria Grapini, Petra Kammerevert, Maria-Manuel Leitão-Marques, Brando Benifei, Paul Tang, Monika Beňová

**Proposal for a regulation
Article 33 a (new)**

Text proposed by the Commission

Amendment

Article 33a

Interoperability

- 1. Very large online platforms shall provide, by creating and offering an application programming interface, options enabling the interoperability of their core services to other online platforms.**
- 2. Application programming interfaces should be easy to use, while the processing of personal data shall only be possible in a manner that ensures appropriate security of these data. Measures under paragraph (1) may not limit, hinder or delay the ability of content hosting platforms to fix security issues, nor should the need to fix security issues lead to an undue delay for the provision on interoperability.**
- 3. This Article is without prejudice to any limitations and restrictions set out in Regulation (EU) 2016/679.**

Or. en

Justification

Interoperability increases the ability of consumers to choose among competing platforms, thereby it ensures a competitive digital market and tackles problems such as user lock-in.

Amendment 1810

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation
Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33a

Interoperability of very large platforms

- 1. Very large platforms shall offer, through technical interfaces, options for other platforms to interoperate with their core services.***
- 2. Measures under paragraph one shall complement, without prejudice to their application, the rules under the Regulation (EU) 2016/679 of the European Parliament and of the Council.***
- 3. Interfaces for ensuring interoperability should be easy to use and personal data shall be processed in a manner that ensures appropriate security of the personal data. The obligation under paragraph one shall not be construed as preventing platforms from taking reasonable efforts to address security issues.***

Or. en

Amendment 1811

Evelyne Gebhardt, Andreas Schieder, Marc Angel, Christel Schaldemose, Maria Grapini, Petra Kammerevert, Maria-Manuel Leitão-Marques, Monika Beňová

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies at least for the following:

1. The Commission shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies, ***and whenever available widely-used information and communication technology standards that meet the requirements set out in Annex II of***

Regulation No. 1025/2012, at least for the following:

Or. en

Justification

In the current state widely-used standards do already exist, for example in the messaging and social media sphere, with a huge number of active users. Requesting the industry to agree on a standard would most likely take several years. Therefore, the Commission should be in the position to actively identify such existing standards. Annex II of Regulation 1025/12 includes a process to do such a selection in respect to openness, consensus and transparency.

Amendment 1812

Karen Melchior

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall support and promote the development and implementation of **voluntary industry** standards set by relevant European and international standardisation bodies at least for the following:

Amendment

1. The Commission shall support and promote the development and implementation of standards set by relevant European and international standardisation bodies **subject to transparent, multi-stakeholder and inclusive processes in line with Regulation (EU) No. 1025/2012**, at least for the following:

Or. en

Amendment 1813

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies at least

Amendment

1. **Where necessary to achieve agreed and clearly defined public objectives**, the Commission shall support and promote the development and implementation of voluntary industry standards set by relevant

for the following:

European and international standardisation
bodies at least for the following:

Or. en

Amendment 1814

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies at least for the following:

Amendment

1. The ***Board, in cooperation with the*** Commission, shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies at least for the following:

Or. fr

Amendment 1815

Ramona Strugariu, Vlad-Marius Botoș

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall support and promote the development and implementation of voluntary industry standards set by relevant European and international standardisation bodies at least for the following:

Amendment

1. The Commission shall support and promote the development and implementation of voluntary industry standards ***or standardisation deliverables*** set by relevant European and international standardisation bodies at least for the following:

Or. en

Amendment 1816

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 34 – paragraph 1 – point a

Text proposed by the Commission

(a) electronic submission of notices under Article 14;

Amendment

(a) electronic submission of notices under Article 14 ***in a manner that permits the logging and, where possible, the automatic publication of all relevant statistical data;***

Or. en

Amendment 1817
Geert Bourgeois

Proposal for a regulation
Article 34 – paragraph 1 – point b

Text proposed by the Commission

(b) ***electronic submission of notices by trusted flaggers under Article 19, including through application programming interfaces;*** ***deleted***

Amendment

Or. nl

Amendment 1818
Alessandra Basso, Marco Campomenosi, Antonio Maria Rinaldi, Isabella Tovaglieri, Markus Buchheit, Jean-Lin Lacapelle, Virginie Joron
on behalf of the ID Group

Proposal for a regulation
Article 34 – paragraph 1 – point b

Text proposed by the Commission

(b) ***electronic submission of notices by trusted flaggers under Article 19, including through application programming interfaces;*** ***deleted***

Amendment

Or. en

Amendment 1819

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point b

Text proposed by the Commission

(b) electronic submission of notices by trusted flaggers under Article 19, including through application programming interfaces;

Amendment

(b) electronic submission of notices by trusted flaggers under Article 19, including, ***if necessary***, through application programming interfaces, ***and which permit the logging and, where possible, the automatic publication of all relevant statistical data***;

Or. en

Amendment 1820

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) terms and criteria for the submission of notices in a diligent manner by trusted flaggers under Article 19;

Or. en

Amendment 1821

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point c

Text proposed by the Commission

(c) specific interfaces, including application programming interfaces, to

Amendment

(c) specific interfaces, including application programming interfaces ***or***

facilitate compliance with the obligations set out in Articles 30 and 31;

other mechanisms, to facilitate compliance with the obligations set out in Articles 30 and 31;

Or. en

Amendment 1822

Evelyne Gebhardt, Andreas Schieder, Marc Angel, Christel Schaldemose, Maria Grapini, Petra Kammerevert, Maria-Manuel Leitão-Marques, Monika Beňová

Proposal for a regulation

Article 34 – paragraph 1 – point e

Text proposed by the Commission

(e) interoperability of the advertisement repositories referred to in Article 30(2);

Amendment

(e) interoperability of the advertisement repositories referred to in Article 30(2), ***and the APIs referred to in Article 33a;***

Or. en

Justification

In line with the additional Article 33a on interoperability.

Amendment 1823

Karen Melchior

Proposal for a regulation

Article 34 – paragraph 1 – point f

Text proposed by the Commission

(f) transmission of data between advertising intermediaries in support of transparency obligations pursuant ***to points (b) and (c) of*** Article 24.

Amendment

(f) ***transparency obligations under Article 24 and*** transmission of data between advertising intermediaries in support of transparency obligations pursuant Article 24.

Or. en

Amendment 1824

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation
Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) accessibility of elements and functions of online platforms and digital services for persons with disabilities

Or. en

Amendment 1825
Jordi Cañas, Maite Pagazaurtundúa

Proposal for a regulation
Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) accessibility of elements and functions of online platforms and digital services for persons with disabilities aiming at consistency and coherence with existing harmonised accessibility requirements when these elements and functions are not already covered by existing harmonised European standards.

Or. en

Justification

The European Commission, as obliged by the UN CRPD, should promote and facilitate accessibility for persons with disabilities, including through promotion of technical standards such as EN301 549 (Accessibility requirements for ICT products and services). This is already done for other Union laws aiming to advance accessibility for persons with disabilities (e.g. Web Accessibility Directive).

Amendment 1826
Alex Agius Saliba, Christel Schaldemose

Proposal for a regulation
Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) accessibility of elements and functions of online platforms and digital services for persons with disabilities aiming at consistency and coherence with existing harmonised accessibility requirements when these elements and functions are not already covered by existing harmonised European standards

Or. en

Justification

The European Commission, as obliged by the UN CRPD, should promote and facilitate accessibility for persons with disabilities, including through promotion of technical standards such as EN301 549 (Accessibility requirements for ICT products and services). This is already done for other Union laws aiming to advance accessibility for persons with disabilities (e.g. Web Accessibility Directive).

Amendment 1827

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Marco Zullo, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) accessibility of elements and functions of online platforms and digital services for persons with disabilities aiming at consistency and coherence with existing harmonised accessibility requirements when these elements and functions are not already covered by existing harmonised European standards

Or. en

Justification

If accessibility requirements are mandated, then additional standards should be created. These new standards would build upon existing standards on web accessibility and other accessibility standards.

Amendment 1828

Ramona Strugariu, Vlad-Marius Botoș, Karen Melchior

Proposal for a regulation

Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) self-regulatory, certifiable and machine-readable criteria for the transparency of ownership and professionalism of editorial processes to identify reliable sources of information pursuant to Article 24 a;

Or. en

Amendment 1829

Ivan Štefanec

Proposal for a regulation

Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) protection and promotion of children's rights and wellbeing harmonized with the UN Convention on the Rights of the Child and the Convention's General Comment 25.

Or. en

Amendment 1830

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) transparency reporting obligations pursuant to Article 13;

Amendment 1831

Ivan Štefanec

Proposal for a regulation

Article 34 – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) accessibility of elements and functions of online platforms and digital services for persons with disabilities aiming at consistency and coherence with existing harmonised accessibility requirements when these elements and functions are not already covered by existing harmonised European standards;

Or. en

Justification

The European Commission, as obliged by the UN CRPD, should promote and facilitate accessibility for persons with disabilities, including through promotion of technical standards such as EN301 549 (Accessibility requirements for ICT products and services). This is already done for other Union laws aiming to advance accessibility for persons with disabilities (e.g. Web Accessibility Directive).

Amendment 1832

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) the design of online interfaces regarding inter alia the acceptance of and changes to terms and conditions, settings, advertising practices, recommender systems, and decisions within the content moderation process to prevent dark patterns;

Amendment 1833

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point f c (new)

Text proposed by the Commission

Amendment

(fc) electricity, water and heat consumption, including such consumption caused by artificial intelligence and recommender systems by very large online platforms;

Or. en

Amendment 1834

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 1 – point f d (new)

Text proposed by the Commission

Amendment

(fd) data sufficiency, aiming at the reduction of data generation, in particular traffic data, including the reduction of associated electricity, water and heat consumption and resources from data centres.

Or. en

Amendment 1835

Liesje Schreinemacher, Bart Groothuis, Hilde Vautmans, Marco Zullo, Karen Melchior, Morten Løkkegaard, Adrián Vázquez Lázara, Sandro Gozi

Proposal for a regulation

Article 34 – paragraph 1 a (new)

1a. The Commission shall support and promote the development and implementation of industry standards set by relevant European and international standardisation bodies for the protection and promotion of the rights of the child, observance of which, once adopted will be mandatory for very large online platforms, at least for the following:

- (a) age assurance and age verification;***
- (b) child impact assessments;***
- (c) child-centred and age-appropriate design;***
- (d) child-centred and age-appropriate terms and conditions.***

Or. en

Amendment 1836
Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation
Article 34 – paragraph 1 – subparagraph 1 a (new)

These standards promote a high level of quality and cannot lead to a lessening of the obligations arising from the applicable legislation. Upon their adoption by online platforms, the reports described in Articles 26, 27 and 28 shall take them into account in their assessment. The Board, the Commission and the Digital Services Coordinators shall also take them into account in the application of the same articles.

Or. fr

Amendment 1837
Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. The Commission shall support the update of the standards in the light of technological developments and the behaviour of the recipients of the services in question.

Amendment

2. The **Board, in cooperation with the** Commission, shall support the update of the standards in the light of technological developments and the behaviour of the recipients of the services in question.

Or. fr

Amendment 1838
Ivan Štefanec

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. The Commission shall support the update of the standards in the light of technological developments and the behaviour of the recipients of the services in question.

Amendment

2. The Commission shall support the update of the standards **and guidelines** in the light of technological **and legislation** developments and the behaviour of the recipients of the services in question.

Or. en

Amendment 1839
David Lega, Hilde Vautmans, Antonio López-Istúriz White, Dragoș Pîslaru, Milan Brglez, Alex Agius Saliba, Ioan-Rareș Bogdan, Josianne Cutajar, Eva Kaili

Proposal for a regulation
Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall support and promote the development and implementation of industry standards set by relevant European and international standardisation bodies for the protection

and promotion of the rights of the child, observance of which, once adopted, will be mandatory, at least for the following:

- (a) age assurance and age verification pursuant to Article 13;*
- (b) child impact assessments pursuant to Article 13;*
- (c) age-appropriate terms and conditions pursuant to Article 12;*
- (d) child-centred design pursuant to Article 13.*

Or. en

Amendment 1840

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where any of the standards under paragraph 1 have not been adopted by [24 months of the entry into force of this regulation], the Commission may adopt a delegated act in accordance with Article 69 to set down rules, guidelines or a template for the harmonised application of the applicable articles.

Once a standard has been established, the Commission shall cease work on or withdraw its delegated act if already adopted.

Or. en

Justification

It is in the interest of all users to have harmonised systems across all providers. The industry should have a chance to agree this amongst themselves. But if they cannot do so in a reasonable period of time, the Commission should be empowered to do so.

Amendment 1841

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. At least with regard to points (a), (b) and (ba new) of paragraph 1, the Commission shall carry out thorough impact assessments before implementation in order to ensure compliance with Union law. In particular, such mechanisms shall not lead to restrictions being automatically imposed on notified content.

Or. en

Amendment 1842

Christel Schaldemose, Andreas Schieder, Maria Grapini, Maria-Manuel Leitão-Marques, Clara Aguilera, Adriana Maldonado López, Biljana Borzan, Evelyne Gebhardt, Monika Beňová, Marc Angel

Proposal for a regulation

Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The absence of such standards as defined in this article should not prevent the timely implementation of the measures outlined in this regulation.

Or. en

Amendment 1843

Jean-Lin Lacapelle, Virginie Joron

Proposal for a regulation

Article 35

Article 35

deleted

Codes of conduct

- 1. The Commission and the Board shall encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.***
- 2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.***
- 3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.***

4. The Commission and the Board shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate the achievement of their objectives. They shall publish their conclusions.

5. The Board shall regularly monitor and evaluate the achievement of the objectives of the codes of conduct, having regard to the key performance indicators that they may contain.

Or. fr

Amendment 1844

Martin Schirdewan, Anne-Sophie Pelletier

Proposal for a regulation

Article 35

Text proposed by the Commission

Amendment

Article 35

deleted

Codes of conduct

1. The Commission and the Board shall encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes

of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

4. The Commission and the Board shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate the achievement of their objectives. They shall publish their conclusions.

5. The Board shall regularly monitor and evaluate the achievement of the objectives of the codes of conduct, having regard to the key performance indicators that they may contain.

Or. en

Amendment 1845

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation **Article 35 – paragraph 1**

Text proposed by the Commission

1. The Commission and the **Board** shall ***encourage and*** facilitate the ***drawing up*** of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges ***of*** tackling different types of illegal content and systemic risks, in accordance with Union law, ***in*** particular on competition and the ***protection of personal data***.

Amendment

1. The Commission and the **Agency** shall facilitate the ***drafting and implementation*** of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges ***and responsibilities involved in comprehensively*** tackling different types of illegal content and systemic risks, in accordance with Union law. Particular ***attention shall be given to avoiding counterproductive effects*** on competition, ***data access and security, the general monitoring prohibition*** and the ***rights of individuals***. ***The Commission and the Agency shall approve and be party to any such code of conduct, in order to ensure adequate accountability and legal redress for individuals.***

Or. en

Amendment 1846

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

**Proposal for a regulation
Article 35 – paragraph 1**

Text proposed by the Commission

1. The Commission and the Board shall encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.

Amendment

1. The Commission and the Board shall encourage and facilitate the drawing up of ***voluntary*** codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data. ***The Commission shall also encourage and facilitate regular review and adaption of the Codes of conduct to ensure that they***

are fit for purpose.

Or. en

Amendment 1847

Karen Melchior

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. The Commission and the Board ***shall*** encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the ***proper*** application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.

Amendment

1. The Commission and the Board ***may*** encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the ***effective*** application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on ***consumer protection***, competition and the protection of personal data, ***as well as the Charter of Fundamental Rights***.

Or. en

Amendment 1848

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. The Commission and the Board shall encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition

Amendment

1. The Commission and the Board shall encourage and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content ***as defined in Union and national law*** and systemic risks, in accordance with Union law, in particular on competition and the

and the protection of personal data.

protection of personal data.

Or. en

Amendment 1849

Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. The Commission and the Board shall **encourage** and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.

Amendment

1. The Commission and the Board shall **have the right to request** and facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and systemic risks, in accordance with Union law, in particular on competition and the protection of personal data.

Or. en

Amendment 1850

Marcel Kolaja

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. The Commission and the Board **shall encourage and** facilitate the drawing up of codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and **systemic risks**, in accordance with Union law, in particular on competition and the protection of personal data.

Amendment

1. The Commission and the Board **may** facilitate the drawing up of **voluntary** codes of conduct at Union level to contribute to the proper application of this Regulation, taking into account in particular the specific challenges of tackling different types of illegal content and **adverse impacts**, in accordance with Union law, in particular on competition and the protection of personal data.

Or. en

Amendment 1851

Karen Melchior

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

Amendment

2. *Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.*

deleted

Or. en

Amendment 1852

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

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

Amendment

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite *the very large* online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission, ***in agreement with the Board***, may invite online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil

other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1853

Arba Kokalari, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Marion Walsmann, Barbara Thaler

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other ***interested parties***, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other ***relevant stakeholders***, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1854

Leszek Miller

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant systemic risk within the meaning of Article **26(1)** emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where significant systemic risk within the meaning of Article **26(1)(a)** emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1855

Adam Bielan, Kosma Złotowski, Eugen Jurzyca, Beata Mazurek

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **may invite** the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **shall request** the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1856

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **may** invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **shall** invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Justification

It is only logical that the Commission would include very large online platforms (and others) to take part in drafting the codes. It is not clear why this would only be an option for the Commission.

Amendment 1857

Marcel Kolaja

Proposal for a regulation

Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant **systemic risk** within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the

Amendment

2. Where significant **adverse impacts** within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the

very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1858

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior

Proposal for a regulation Article 35 – paragraph 2

Text proposed by the Commission

2. Where **significant** systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **may** invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission **shall** invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, as well as civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1859

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 35 – paragraph 2

Text proposed by the Commission

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, **as well as** civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Amendment

2. Where significant systemic risk within the meaning of Article 26(1) emerge and concern several very large online platforms, the Commission may invite the very large online platforms concerned, other very large online platforms, other online platforms and other providers of intermediary services, as appropriate, civil society organisations and other interested parties, to participate in the drawing up of codes of conduct, including by setting out commitments to take specific risk mitigation measures, as well as a regular reporting framework on any measures taken and their outcomes.

Or. en

Amendment 1860

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation
Article 35 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. With the exception of actions under Article 27 (1e), providers of intermediary services shall not be required to subscribe to such codes of conduct other than on a voluntary basis and may withdraw its agreement at any time.

Or. en

Justification

Unless a provider is mandated to join a code, as maybe the case of a very large online platform, all codes are voluntary. This should be clearly written down in the regulation

Amendment 1861

Marcel Kolaja

Proposal for a regulation

Article 35 – paragraph 3

Text proposed by the Commission

Amendment

3. *When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.* **deleted**

Or. en

Amendment 1862

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 35 – paragraph 3

Text proposed by the Commission

Amendment

3. When giving effect to paragraphs 1 **and** 2, the Commission and the **Board** shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of **those** objectives and **take due account of** the needs and interests of all interested parties, including **citizens, at Union level**. The Commission and the

3. When giving effect to paragraphs 1 **and/or** 2, the Commission and the **Agency** shall aim to ensure that the codes of conduct:

Board shall also *aim to* ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

- (a) clearly set out their *specific* objectives;
- (b) *define the nature of the public policy problem being addressed and the role of public authorities in complementing the activities undertaken as part of the code;*
- (c) contain key performance indicators to measure the achievement of *their* objectives;
- (d) *contain mechanisms for independent evaluation of the achievement of their* objectives and *to identify or anticipate possible counterproductive impacts;*
- (e) *contain mechanisms to adapt or abandon the code if its specific objectives are not being met or if counterproductive impacts are identified;*
- (f) *fully respect* the needs and interests of all interested parties, including *individuals*.

The Commission and the **Agency** shall also ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Or. en

Justification

This seeks to give structure to the Commission's proposal, as well as to align more precisely with Recommendation CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries and the Council of Europe's "Best practices towards effective legal and procedural frameworks for self-regulatory and co-regulatory mechanisms of content moderation," published in June, 2021.

Amendment 1863

Karen Melchior

Proposal for a regulation

Article 35 – paragraph 3

Text proposed by the Commission

3. When giving effect to **paragraphs 1 and 2**, the Commission and the Board shall **aim to** ensure that the codes of conduct **clearly** set out **their** objectives, contain key performance indicators to **measure** the achievement of those **objectives** and take due account of the needs and interests of all interested parties, **including** citizens, at Union level. The Commission and the Board shall also **aim to** ensure that participants report regularly to the Commission and **their respective Digital Service Coordinators of establishment** on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Amendment

3. When giving effect to **paragraph 1**, the Commission and the Board shall **ensure a balanced, inclusive, multi-stakeholder and transparent governance for the codes of conduct. The Commission and the Board shall ensure the participation and meaningful inclusion of civil society organisations representing the public interest**, that the codes of conduct set out **clear and precise provisions and fundamental rights** objectives, contain **effective and specific** key performance indicators to **evaluate** the achievement of those **measures** and take due account of the needs and interests of all interested parties, **in particular** citizens, at Union level. The Commission and the Board shall also ensure that participants report regularly to the Commission and **the Board** on any measures taken and their outcomes, as measured against the **law and the** key performance indicators that they contain.

Or. en

Amendment 1864

Arba Kokalari, Andrey Kovatchev, Pablo Arias Echeverría, Andreas Schwab, Anna-Michelle Asimakopoulou, Maria da Graça Carvalho, Tomislav Sokol, Axel Voss, Ivan Štefanec, Pilar del Castillo Vera, Barbara Thaler

Proposal for a regulation

Article 35 – paragraph 3

Text proposed by the Commission

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall

Amendment

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall

aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain. ***Key performance indicators and reporting commitments should take into account differences in size and capacity between different participants.***

Or. en

Amendment 1865
Leszek Miller, Maria Grapini

Proposal for a regulation
Article 35 – paragraph 3

Text proposed by the Commission

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Amendment

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives ***in relation to the dissemination of illegal content***, and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Amendment 1866**Ivan Štefanec****Proposal for a regulation****Article 35 – paragraph 3***Text proposed by the Commission*

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Amendment

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, ***in relation to the dissemination of illegal content***, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Or. en

Amendment 1867**Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior, Marco Zullo****Proposal for a regulation****Article 35 – paragraph 3***Text proposed by the Commission*

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall ***aim to*** ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take

Amendment

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall ensure that the codes of conduct clearly set out their objectives, contain ***a set of harmonised*** key performance indicators to measure the achievement of those

due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also *aim to* ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of *establishment on* any measures taken and their outcomes, as measured against the key performance indicators that they contain.

objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of any measures taken and their outcomes, as measured against the key performance indicators that they contain *in order to facilitate effective cross-platform monitoring.*

Or. en

Amendment 1868

Dita Charanzová, Andrus Ansip, Vlad-Marius Botoș, Claudia Gamon, Morten Løkkegaard, Svenja Hahn, Karen Melchior, Sandro Gozi, Stéphanie Yon-Courtin, Liesje Schreinemacher

Proposal for a regulation Article 35 – paragraph 3

Text proposed by the Commission

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Amendment

3. When giving effect to paragraphs 1 and 2, the Commission and the Board shall aim to ensure that the codes of conduct clearly set out their objectives, contain key performance indicators to measure the achievement of those objectives and take due account of the needs and interests of all interested parties, including citizens, at Union level. The Commission and the Board shall also aim to ensure that participants report regularly *as needed* to the Commission and their respective Digital Service Coordinators of establishment on any measures taken and their outcomes, as measured against the key performance indicators that they contain.

Or. en

Justification

Unlike other requirements, codes of conduct are generally voluntary measures, where some

actions are one time events and others are ongoing. Therefore any reporting should be done only when it is needed as otherwise the requirement will discourage membership in the codes.

Amendment 1869

Alexandra Geese, Rasmus Andresen, Kim Van Sparrentak
on behalf of the Greens/EFA Group

Proposal for a regulation **Article 35 – paragraph 4**

Text proposed by the Commission

4. The Commission and the **Board** shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate the achievement of their objectives. They shall publish their conclusions.

Amendment

4. The Commission and the **Agency** shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate, ***at least once a year***, the achievement of their objectives ***and include at least the following points:***

(a) the evolution of the scale and nature of the public policy problem being addressed by the relevant code.

(b) the existence or emergence of commercial interests on the part of the online platform that may disincentivise the successful implementation of the code;

(c) whether there are adequate safeguards to ensure the rights of individuals and businesses.

They shall publish their conclusions.

Or. en

Amendment 1870

Sandro Gozi, Christophe Grudler, Laurence Farreng, Valérie Hayer, Stéphanie Yon-Courtin, Fabienne Keller, Stéphane Séjourné, Karen Melchior, Marco Zullo

Proposal for a regulation **Article 35 – paragraph 4**

Text proposed by the Commission

4. The Commission and the Board

Amendment

4. The Commission and the Board

shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate the achievement of their objectives. ***They shall*** publish their conclusions.

shall assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and shall regularly monitor and evaluate the achievement of their objectives, ***and*** publish their conclusions. ***Furthermore, they shall ensure that there is common alert mechanism managed at Unions level to allow for real-time and coordinated responses.***

Or. en

Amendment 1871

Marcel Kolaja

Proposal for a regulation

Article 35 – paragraph 4

Text proposed by the Commission

4. The Commission and the Board ***shall*** assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and ***shall*** regularly monitor and evaluate the achievement of their objectives. They shall publish their conclusions.

Amendment

4. The Commission and the Board ***may*** assess whether the codes of conduct meet the aims specified in paragraphs 1 and 3, and ***may*** regularly monitor and evaluate the achievement of their objectives. They shall publish their conclusions.

Or. en

Amendment 1872

Karen Melchior

Proposal for a regulation

Article 35 – paragraph 5

Text proposed by the Commission

5. The Board shall regularly monitor and evaluate the achievement of ***the objectives of*** the codes of conduct, having regard to the key performance indicators that they may contain.

Amendment

5. ***The Commission and*** the Board shall regularly ***and transparently*** monitor and evaluate the achievement of ***or failure to meet*** the codes of conduct, having regard to ***this Regulation, other applicable law, feedback received by stakeholders, and*** the key performance indicators that they may contain. ***If the results of the***

evaluation show the code or codes of conduct are ineffective or that the commitments are not being met, the competent Digital Service Coordinators shall impose effective, proportionate and dissuasive sanctions. In addition, the Commission shall introduce a legislative proposal following the ordinary legislative procedure.

Or. en