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Answer given by Mr Breton
on behalf of the European Commission
(6.4.2021)

We have all witnessed the events taking place in the US Capitol in January 2021 as an illustration of the importance of the online environment for the way users receive and impart information.

The Commission adopted in December 2020 a proposal for a Digital Services Act (DSA)¹ laying down clear harmonised rules on specific due diligence obligations for online platforms, which also reflect their role in facilitating public debate. The proposed DSA clarifies the responsibilities and reinforces the accountability of services that intermediate content, including enhanced due diligence obligations for very large platforms.

Whilst recognising that the freedom of contract of online platforms should in principle be respected, the proposed DSA sets certain rules to ensure that platforms are transparent on their content moderation policies and apply them in a diligent, objective and proportionate manner, taking into account the rights and legitimate interests of all parties involved, including fundamental rights.

The proposed DSA will give users additional possibilities to contest decisions taken by online platforms to remove their content, including when these decisions are based on platforms' terms and conditions. Users would have the right to complain directly to the platform, choose an out-of-court dispute settlement body or seek redress before national courts. An EU-wide governance framework will ensure appropriate oversight of the new rules.

Recognising that democracy can only thrive in a climate where freedom of information and freedom of expression are upheld, the Commission adopted the European Democracy Action Plan² announcing additional initiatives to maintain a plurality of views and preserve the democratic debate in Europe.

¹ https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/digital-services-act-ensuring-safe-and-accountable-online-environment_en

² https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2250