

Brussels, 20 January 2022

European Parliament adopts its position on the Digital Services Act and misses an opportunity to deal a blow to illegal content online.

The Federation of European Publishers notes the adoption today by the European Parliament of its position on the proposed Digital Services Act (DSA) Regulation. The DSA is a once in a generation opportunity to update the rules applicable to online services and ensure a safe online environment for consumers. It was proposed under the motto “what is illegal offline is also illegal online”, which we whole-heartedly support as victims of illegal activities online ourselves.

Publishers, being mostly SMEs, need effective rules to ensure that their content can be protected, as well as clear and strong obligations on online services to ensure that they do not let illegal content fester on their services. Europe had the opportunity to lead the world by example, as it has done in the past in other digital policies.

Many MEPs across the political spectrum presented ambitious proposals to reinforce the text in plenary, which we salute, but the Parliament decided ultimately to limit the potential of the DSA by not adopting amendments that would have given it real teeth against illegal content. A positive amendment introducing a broad Know Your Business Customer obligation, an essential principle to fight malicious commercial actors online, was however adopted, which we welcome.

According to Peter Kraus vom Cleff, President of FEP, “illegal content online is unfortunately widespread, and publishers are heavily affected by it on an everyday basis. Squarely assigning responsibility to online services and bringing the fight against illegal content to the 21st century would therefore have been essential. We regret that the Parliament has not seized this historic opportunity to allow the DSA to fulfil its ambitions. We now call the co-legislators to re-balance the text in the coming trilogues to finally bring the Digital Single Market out of the Wild West.”

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