

14.1.2022

A9-0356/458

Amendment 458

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Recital 50 a (new)

Text proposed by the Commission

Amendment

(50 a) In the light of the need for effective enforcement of specific, including local, rules regulating short-term holiday rentals to ensure the public interest of access to affordable housing and combat long-term rental housing shortages, online platforms should check against databases made available by competent authorities and publish registration numbers of short-term holiday rentals where so required by Union or national law, regardless of whether the natural or legal persons renting out short-term holiday rentals are considered traders as defined in this Regulation.

Or. en

14.1.2022

A9-0356/459

Amendment 459

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 14 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) *the name and an electronic mail address of the individual or entity submitting the notice, except in the case of offences referred to in Articles 3 to 7 of Directive 2011/93/EU;* ***deleted***

Or. en

Justification

It is crucial to avoid any barriers or deterrent effects for potential notifications of illegal content. Especially when notifying the most serious crimes, notifiers could be deterred when being asked their name and address.

Therefore, individuals should have the right to notify anonymously, this is particularly important for victims, and for members of minority or vulnerable groups. Finally, the option whether to indicate contact details or not is already foreseen in the text, in the now somewhat contradictory Article 14 –paragraph 4.

14.1.2022

A9-0356/460

Amendment 460

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 14 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Without prejudice to Article 5 of this Regulation and the obligation to act upon notices without undue delay, the provider of intermediary services shall also notify the recipient of the service who provided the information, where contact details are available, giving them the opportunity to reply within a reasonable period of time before taking action against the notified content.

Or. en

Justification

IMCO INL (P9_TA(2020)0272) DSA: Improving functioning of Single Market, para 53: “urges the Commission to ensure access to transparent, effective, fair, and expeditious counter-notice and complaint mechanisms” & N&A section: “— provide information and remedies to contest the decision via a counter-notice”. According to ECtHR jurisprudence, any law permitting specific blocking measures shall contain an obligation to proactively notify & inform those who might be directly impacted (ECtHR, Kharitonov v Russia, Application no.10795/14, para 44; ECtHR, and others.

14.1.2022

A9-0356/461

Amendment 461

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

Amendment

This Section shall **not** apply **to** online platforms **that** qualify as micro or small enterprises within the meaning of the Annex to Recommendation 2003/361/EC.

This Section shall apply **without exception to commercial** online platforms **unless they** qualify as micro or small enterprises within the meaning of the Annex to Recommendation 2003/361/EC **and do not qualify as very large online platforms as defined by Article 25 of this Regulation, or unless they qualify as a not-for-profit service with fewer than 100,000 monthly active users.**

Or. en

14.1.2022

A9-0356/462

Amendment 462

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

***This Section shall not apply to online
platforms which are not-for-profit
educational or scientific repositories, not-
for-profit digital archives, and not-for-
profit digital libraries.***

Or. en

14.1.2022

A9-0356/463

Amendment 463

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 22 a (new)

Text proposed by the Commission

Amendment

Article 22 a

*Transparency for sustainable
consumption*

Where an online platform allows consumers to conclude distance contracts with traders, it shall ensure that it provides consumers in a clear and unambiguous manner and in real time with information on the environmental impact of its products and services, such as the use of sustainable and efficient delivery methods, sustainable and ecological packaging, as well as the environmental costs of returning goods in the event of withdrawal.

Or. en

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

Report **A9-0356/2021**
Christel Schaldemose
Single Market For Digital Services (Digital Services Act) and amending Directive
2000/31/EC
(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation
Article 24 a (new)

Text proposed by the Commission

Amendment

Article 24 a

Recommender system transparency

1. Online platforms shall set out in their terms and conditions and via a designated online resource that can be directly reached and easily found from the online platform's online interface when content is recommended, in a clear, accessible and easily comprehensible manner the main parameters used in their recommender systems, as well as any options for the recipient of the service to modify or influence those main parameters that they have made available.

2. The main parameters referred to in paragraph 1 shall include, at a minimum:

(a) the criteria used by the relevant system which individually or collectively are most significant in determining recommendations;

(b) the relative importance of those parameters;

(c) what objectives the relevant system has been optimised for; and

(d) if applicable, an explanation of the role that the behaviour of the recipients of the service plays in how the relevant system produces its outputs.

Protection of trade secrets or intellectual property shall not be used as a

justification for withholding information required under this article.

3. Where several options are available pursuant to paragraph 1, online platforms shall provide a clear and easily accessible function 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 465**Alexandra Geese**

on behalf of the Greens/EFA Group

Report**A9-0356/2021****Christel Schaldemose**

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation**Article 25 – paragraph 1***Text proposed by the Commission*

1. This Section shall apply to online platforms which provide their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3.

Amendment

1. This Section shall apply to online platforms which provide ***for at least four consecutive months*** their services to a number of average monthly active recipients of the service in the Union equal to or higher than 45 million, calculated in accordance with the methodology set out in the delegated acts referred to in paragraph 3. ***Such a methodology should take into account any technical factors which could lead to significant under- or over-counting of monthly active recipients of the service.***

Or. en

14.1.2022

A9-0356/466

Amendment 466

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 25 a (new)

Text proposed by the Commission

Amendment

Article 25 a

*Legal representatives of very large online
platforms*

*In addition to the requirements set out in
Article 11, very large online platforms
shall designate, in writing, a legal or
natural person to act as their legal
representative in every Member State
where the very large online platform
offers its services to enable recipients of
services to communicate directly with it,
in at least one of the official languages of
that Member State.*

Or. en

14.1.2022

A9-0356/467

Amendment 467

Alexandra Geese

on behalf of the Greens/EFA Group

Report

A9-0356/2021

Christel Schaldemose

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

(COM(2020)0825 – C9-0418/2020 – 2020/0361(COD))

Proposal for a regulation

Article 27 a (new)

Text proposed by the Commission

Amendment

Article 27 a

Environmental risks and sustainability

In addition to Article 26, very large online platforms shall identify, analyse and assess any systemic risk stemming from any environmental impact such as electricity and water consumption, heat production and CO2 emissions related to the provision of the service and technical infrastructure or to consumer behaviour modification with a direct environmental impact. In addition to Article 27, risk mitigation measures shall also include, where applicable, 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