The Digital Services Act package

The Digital Services Act and Digital Markets Act aim to create a safer digital space where the fundamental rights of users are protected and to establish a level playing field for businesses.

The European Commission proposed two legislative initiatives to upgrade rules governing digital services in the EU: the Digital Services Act (DSA) and the Digital Markets Act (DMA). They form a single set of new rules applicable across the whole EU to create a safer and more open digital space.

The DSA and DMA have two main goals:

1. to create a safer digital space in which the fundamental rights of all users of digital services are protected;
2. to establish a level playing field to foster innovation, growth, and competitiveness, both in the European Single Market and globally.

What are Digital Services?

Digital services include a large category of online services, from simple websites to internet infrastructure services and online platforms.

The rules specified in the DSA primarily concern online intermediaries and platforms. For example, online marketplaces, social networks, content-sharing platforms, app stores, and online travel and accommodation platforms.

The Digital Markets Act includes rules that govern gatekeeper online platforms. Gatekeeper platforms are digital platforms with a systemic role in the internal market that function as bottlenecks between businesses and consumers for important digital services. Some of these services are also covered in the Digital Services Act, but for different reasons and with different types of provisions.

Why do we need new rules?

The rapid and widespread development of digital services has been at the heart of the digital changes that impact our lives. Many new ways to communicate, shop or access information online have appeared, and they are constantly evolving. We need to ensure that European legislation evolves with them.

Online platforms have created significant benefits for consumers and innovation, and helped the European Union’s internal market become more efficient. They have also facilitated cross-border trading within and outside the Union. This has opened new opportunities to a variety of European businesses and traders by facilitating their expansion and access to new markets.
While there is a broad consensus on the benefits of this transformation, the problems arising have numerous consequences for our society and economy. A core concern is the trade and exchange of illegal goods, services and content online. Online services are also being misused by manipulative algorithmic systems to amplify the spread of disinformation, and for other harmful purposes. These new challenges and the way platforms address them have a significant impact on fundamental rights online.

Despite a range of targeted, sector-specific interventions at EU-level, there are still significant gaps and legal burdens to address.

The accelerating digitalisation of society and the economy has created a situation where a few large platforms control important ecosystems in the digital economy. They have emerged as gatekeepers in digital markets, with the power to act as private rule-makers. These rules sometimes result in unfair conditions for businesses using these platforms and less choice for consumers.

With these developments in mind, Europe requires a modern legal framework that ensures the safety of users online, establishes governance with the protection of fundamental rights at its forefront, and maintains fair and open online platform environment.

What was the process up to now and how were stakeholders involved?

The Commission consulted a wide range of stakeholders in preparation of this legislative package. These stakeholders included the private sector, users of digital services, civil society organisations, national authorities, academia, the technical community, international organisations and the general public. An array of complementary consultation steps were also carried out to fully capture stakeholder views on issues related to digital services and platforms.

The Commission consulted stakeholders to further support its work in this area during the summer of 2020. The evidence was used to identify specific issues that may require EU-level intervention in the context of the DSA and the DMA. European and non-European citizens and organisations were welcome to contribute to this consultation.

Next steps

On 25 March a political agreement was reached on the Digital Markets Act (DMA).

Impact Assessments and Public Consultations

- Impact assessment of the proposal for the Digital Services Act
- Impact assessment of the proposal for the Digital Markets Act
- Summary Report on the open public consultation of the Digital Services Act Package
- Open Public Consultation on the Digital Services Act Package
- Open Public Consultation on the Competition Tool
- Inception Impact Assessments on the Digital Services Act
- Inception Impact Assessment on the Ex Ante tool

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PRESS RELEASE | 25 March 2022
Digital Markets Act: Commission welcomes political agreement on rules to ensure fair and open digital markets

The Commission welcomes the swift political agreement reached yesterday between the European Parliament and EU Member States on
the Digital Markets Act (DMA).

PRESS RELEASE | 10 December 2021
Annual report lays out the challenges of protecting fundamental rights in the digital age

The European Commission has released its annual report on the application of the Charter of Fundamental Rights in the EU.

PRESS RELEASE | 09 December 2021
Commission proposals to improve the working conditions of people working through digital labour platforms

The European Commission has proposed a set of measures to improve the working conditions in platform work and to support the sustainable growth of digital labour platforms in the EU.

PRESS RELEASE | 25 November 2021
European Democracy: Commission sets out new laws on political advertising, electoral rights and party funding

This week the European Commission presented a proposal on transparency and targeting of political advertising, as part of measures aimed at protecting election integrity and open democratic debate.

Browse Online platforms and e-commerce
The EU wants to ensure businesses and citizens can use online platforms and e-commerce services no matter where they are in the EU.

See Also

e-Commerce rules in the EU
The European Commission breaks down online barriers so that people can enjoy full access to all goods and services offered online by businesses in the EU.

Online Platforms

The European Commission aims to foster an environment where online platforms thrive, treat users fairly and take action to limit the spread of illegal content.

Source URL: https://digital-strategy.ec.europa.eu/policies/digital-services-act-package