

## **Archive - E-commerce directive - What happened before and since its adoption**

Archive page with main documents of the preparatory steps and of documents that were produced after the adoption of the directive like a communication, studies and public consultations.

### **Preparatory stage of the Directive**

- 04.05.2000 Commission welcomes final adoption of legal framework Directive
- 28.02.2000 Common position of the Council with a view to the adoption of a Directive on electronic commerce
- 08.12.1999 Commissioner Bolkestein welcomes political agreement on electronic commerce Directive
- 01.09.1999 Amended proposal for a coherent legal framework for electronic commerce in the Single Market
- 18.11.1998 Commission proposes legal framework
- 16.04.1997 Commission presents framework for future action

### **Report on the application of the Directive - 2003**

Article 21 of Directive 2000/31/EC provides that in 2003 and thereafter every two years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee a report on the application of the Directive accompanied, where necessary, by proposals for adapting it to legal, technical and economic developments in the field of information society services.

The report provides the first assessment of the transposition and application of the Directive and its impact. The report is the first stage in a continuous process to ensure that Europe stays in the frontline of development in electronic commerce with a maximum level of legal certainty both for business and consumers. See also the press release.

### **Studies - 2007**

In the context of the application of the E-commerce Directive, the Commission commissioned two studies respectively on its economic impact and on the application of the provisions on the liability of internet intermediaries.

The first study was carried out by Copenhagen Economics and finalised in September 2007. It analyses the first results of the economic impact in particular of the internal market clause of the E-commerce Directive, as well as of its provisions on the liability of internet intermediaries and on electronic contracts.

The second one, undertaken by the ULYS consortium, aimed at collecting information on the application of Section 4 of the Directive at European and national level.

## **Communication "A coherent framework to build trust in the Digital single market for e-commerce and online services"**

On 11 January 2012, the European Commission adopted the Communication on e-commerce and other online services. Based on an in-depth public consultation, this Communication sets out the Commission's vision for the potential represented by online services in growth and employment, identifies the principal obstacles to the development of e-commerce and online services, and establishes 5 priorities, accompanied by an action plan. See also Press release (11.01.2012) and Frequently Asked Questions.

The Communication is accompanied by two staff working papers. The first working paper entitled Online services, including e-commerce, in the Single Market conducts an analysis of the factors hindering the development of e-commerce and serves as an application report in the light of Article 21 of the E-Commerce Directive. The second working paper entitled Bringing e-commerce benefits to consumers presents a detailed analysis of the particular obstacles that have been identified as particularly relevant for e-commerce in products.

The Communication was adopted together with the Green Paper on Card, Internet, and Mobile payments.

## **Commission staff working document "Report on the implementation of the e-commerce action plan" - 23/04/2013**

The Commission published a report on progress made in the implementation of the e-commerce action plan.

The report shows that many important actions foreseen in the action plan have already been initiated:

- reinforcing consumer protection (adoption of the "consumer agenda", development of tools for administrative cooperation and better enforcement of EU law);
- improving parcel delivery and payments (launch of public consultations);
- fighting abuse (establishment of the European Cybercrime Center and definition of a cyber-security strategy);
- integrating technological developments (cloud computing strategy, Communication on radio spectrum sharing, guidelines on state aids on broadband...).

## **Public consultations**

### **2010 - The future of electronic commerce**

A public consultation was conducted between August and November 2011 to analyse the reasons why electronic commerce remains limited to less than 4% of total retail service sales in the EU over 10 years after it started. It also sought to identify obstacles to the development of e-commerce and to evaluate the impact of the E-commerce Directive (2000/31/CE).

Issues covered in the consultation included: commercial communications of regulated professions

such as pharmacists and lawyers; the development of the online press, the issue of the liability of internet intermediaries, administrative cooperation, on-line dispute resolution, etc.

420 responses were received. They have been summarised in a summary report.

## **2012 - Procedures for notifying and acting on illegal content hosted by online intermediaries: A clean and open Internet**

On 4 June 2012, the European Commission launched a public consultation on procedures for notifying and acting on illegal content hosted by online intermediaries. The Commission wants to collect comments from all stakeholders on how this can best be achieved. The consultation covers the issue of notification of illegal content: for example, should all hosting service providers put in place mechanisms to notify illegal content that are easy to find and easy to use? And if so, should illegal content exclusively be notified by such mechanisms? The consultation also covers the issue of acting on illegal content: for instance, should hosting service providers consult the providers of alleged illegal content? Should they provide feedback to notice providers? See the summary of responses.

## **Downloads**

Commission Staff Working Document - E-commerce action plan 2012-2015 - State of Play 2013  
Download



Public consultation on procedures for notifying and acting on illegal content hosted by online intermediaries - Summary of responses

[Download](#)



Study - Application of Section 4 of the e-commerce directive  
Download





Study - Liability of internet intermediaries  
Download



Summary of the results of the Public Consultation on the future of the electronic commerce in the Internal Market and the implementation of the Directive on electronic commerce (2000/31/EC)  
Download

## **Related topics**

Online platforms Shaping the Digital Single Market eCommerce

---

### **Source URL:**

*<https://digital-strategy.ec.europa.eu/library/archive-e-commerce-directive-what-happened-and-its-adoption>*