Dear Commissioner,

On behalf of eBay, a leading global e-commerce company, I would like to congratulate you on your recent confirmation as Commissioner for the Internal Market. We support your goals to ensure the integrity of the Single Market and would like to offer our support to reinforcing a borderless, safe, and open Digital Single Market and boosting an inclusive, SME-driven digital economy in Europe.

Online marketplaces already contribute to those objectives — eBay’s platforms enable hundreds of thousands of European SMEs to trade online and export globally, often complementing their physical retail business in order to scale and grow in the global digital economy. In fact, 97% of European small businesses active on eBay engage in exports and, on average, eBay-enabled small businesses sell to 22 overseas markets.

We understand your ambitious plans for the Digital Services Act and reviewing the e-Commerce Directive and platform responsibilities will be a significant part of that effort. eBay has always contributed in a constructive and collaborative manner to processes around this critical piece of legislation, including through non-legislative initiatives, such as the MoU against counterfeiting online. We are committed to continuing our cooperative engagement going forward.

For the DSA to be of relevant value for Europe’s online economy, it should focus on the needs of small businesses wishing to participate in the global online commerce market. In this context, Europe needs a bold, overarching online marketplace vision. Key principles of that vision should be inclusiveness, openness, and competitiveness.

- **Inclusiveness**: The EU should ensure that truly independent small businesses can participate in the online commerce market by maintaining a regulatory distinction between the responsibilities of marketplaces and retailers that use them. If retailers’ compliance obligations are shifted to online marketplaces, marketplaces will require a tight directional and physical control over the businesses’ operations of small business retailers using their services, effectively turning those small businesses into mere suppliers of online marketplaces without operational independence.

- **Openness**: Accessing and benefitting from today’s internet effectively means accessing and benefiting from online platforms. Therefore, it is important to establish and enforce platform access and non-discrimination principles for the digital economy, in particular for those online platforms with substantial market power. In order to avoid anti-competitive closed or distortive ecosystems, policy makers must ensure fair and open competition both on online platforms and between online platforms.
Competitiveness: Regulatory divergence within the Digital Single Market often creates a disproportionate impediment for small businesses seeking to trade across borders. In order to boost the competitiveness of small European online retailers, policy makers should take further measures to simplify and harmonize policy areas with the highest impact on small businesses' ability to export, such as VAT administration and national registration/reporting requirements (e.g. under waste management rules).

We warmly welcome your commitment to work towards a true Digital Single market that works for the people and allows consumers and businesses to take full advantage of the opportunities offered by digital technologies. We look forward to actively contributing to your policy agenda.

We would very much welcome an early opportunity to discuss these matters with you in greater detail, [Redacted], and I plan to be in Brussels on 25 March and hope that we might be able to find time in your schedule to meet. Our Government Relations team in Brussels will reach out to your office to try and find a mutually convenient slot.

Yours sincerely,

[Redacted]

eBay Europe