

Message 104

Communication from the Commission - TRIS/(2020) 04188  
Directive (EU) 2015/1535  
Translation of the message 103  
Notification: 2020/0544/A

Forwarding of the observations of a Member State (Sweden) (article 5, paragraph 2, of Directive (EU) 2015/1535).  
These observations do not have the effect of extending the standstill period.

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1. MSG 104 IND 2020 0544 A EN 02-12-2020 26-11-2020 COM 5.2 02-12-2020  
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5. article 5, paragraph 2, of Directive (EU) 2015/1535

6. It is important to safeguard the functioning of the digital single market also in the priority issue of combating illegal content on the Internet. In Sweden's opinion, EU harmonisation in this area is necessary and may need to be improved to enable a digital internal market.

There is a need for clarification regarding the empirical basis of the impact assessment and the proposal's relationship to the e-Commerce Directive.

There is a particular need for more detailed impact assessments in terms of e.g. deadlines and the potentially difficult questions of interpretation in the application of the Austrian provisions, so that platforms can be given the right incentive to block or delete what is clearly illegal content. The notified proposal risks having an impact on the legal content as well. The proposal can therefore raise issues in relation to the protection of fundamental freedoms and rights such as freedom of expression and information.

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