

**O P I N I O N**  
**pursuant to Article 23e of the Austrian Constitution**  
**of the Standing Sub-Committee on European Union Affairs**  
**of the Main Committee of the National Council**

**of 2 November 2021**

**COM (2020) 825 final**

**Proposal for a Regulation of the European Parliament and of the Council on a Single Market for Digital Services (Digital Services Act) and amending Directive 2000/31/EC**

The Austrian Federal Government, in particular the competent Federal Minister of Justice, is requested to endorse the position that

- within the framework of the Digital Services Act all Member States be obliged to implement effective measures for the protection of users, in particular of consumers of digital services, so that easy access to the use of digital services is guaranteed, while their fundamental and human rights, especially the right to data protection, privacy and freedom of expression, are respected;
- independent recourse to judicial redress be ensured if the lawfulness of contents, services and goods disseminated, offered or marketed on platforms as well as their erasure and removal is disputed;
- asymmetric due diligence obligations be set for different types of providers of digital services, certain substantive material obligations be limited to very large platforms, and small and medium-sized providers be exempted from disproportionately heavy obligations.