



Written by [Luis Miguel](#) on December 17, 2020

European Union Preparing New Rules to Crack Down on Big Tech?

Is the EU really cracking down on Big Tech? Or is it just for show?

The European Union this week unveiled draft rules for new regulations on major tech giants such as Google, Amazon, and Facebook, intended to curb their anticompetitive practices and their threats to republics.

These [proposals](#), rolled out on Tuesday, threaten to hit the tech giants with huge fines or even bans from the European market if they fail to comply.

Margrethe Vestager, the EU competition chief, said the rules are intended to bring “order to chaos” and rein in “gatekeepers” that dominate the Internet and market.

“The Digital Service Act and Digital Markets Act will create safe and trustworthy services while protecting freedom of expression,” she told a press conference.

Rappler reports:

The EU says the long-trailed legislation would see internet behemoths face fines of up to 10% of their turnover for breaking some of the most serious competition rules or even risk being broken up.

It also proposes fining them 6% of revenues or temporarily banning them from the EU market “in the event of serious and repeated breaches of law which endanger the security of European citizens”.

The Digital Services Act and its accompanying Digital Markets Act will lay out strict conditions for doing business in the EU’s 27 member countries as authorities aim to curb the spread of disinformation and hate speech online, as well as Big Tech’s business dominance.

A source close to the EU commission told the outlet that 10 firms are currently likely to be designated as “gatekeepers” under the proposed legislation. They are Facebook, Google, Amazon, Apple, Microsoft and SnapChat, China’s Alibaba and Bytedance (of which TikTok is the Western equivalent), South Korea’s Samsung, and the Netherlands’ Booking.com.

Search engine Google said it would carefully study the proposals but complained that they “seem to specifically target a handful of companies.”

The draft laws will go through a long ratification process in which the EU’s 27 member nations, the



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European Parliament, and trade associations, companies, and lobbyists will influence the final draft.

The Digital Services Act is being promoted as a way of giving the Commission greater ability to pursue social-media platforms when they allow illegal content, which for the EU includes not only child pornography, but “hate speech” and “disinformation.”

The Digital Markets Act would give Brussels power to enforce competition laws faster and to push for more transparency in their algorithms and use of personal data.

Facebook doesn't seem worried about these changes on the surface. A spokesperson for the company said the proposed regulations “are on the right track to help preserve what is good about the internet” and insisted it looked forward “to engaging with EU lawmakers.”

Facebook even took aim at Apple, saying it wanted the rules to “set boundaries” for the iPhone maker, with which it has fought over the issue of privacy, although Facebook has a long history of privacy-related controversies of its own.

Activist group Avaaz said the legislation could prove a “bold and brave move” so long as Brussels ensures it is fully enforced.

“This is a strong framework and the EU has the heft and democratic values to hold the platforms to account, regulate the reach of disinformation and protect the free speech of the users,” legal director Sarah Andrew said.

David Cormand, a member of the European Parliament who sits on its internal market committee, called the legislation a “step in the right direction,” yet one that lacked the ambition to “regain power over our digital services.”

Over the years, the EU has not shied away from levying fines on the tech companies, slapping billions in antitrust fines on Google and ordering Apple to pay billions of euros in back taxes to Ireland (though the latter move was blocked by the EU's highest court).

This is in contrast to the United States, where lawmakers have been slow to formulate and pass legislation that would defang Big Tech. Despite constant rhetoric from Republican politicians about the major platforms' censorship of conservative voices, even something as simple as removing the companies' Section 230 protections (which would take away companies' protections from being sued for libel if they regulate what goes on their sites) has gone unaccomplished.

The EU's solutions may not truly be in the interest of the people. The language that encourages the Internet platforms to further eliminate “hate speech” and “disinformation” would likely lead to more attacks on free speech, most of it targeted against conservatives. For instance, in much of the EU, it is illegal to point out the bad aspects of too much immigration.

Nevertheless, the fact that the EU is on a realistic path to take some form of action on Big Tech should serve as a signal to U.S. politicians that it can be done when the political will exists.



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