

## EDiMA discouraged by European Commission's New Regulation on Platform-to-Business

Brussels, April 26, 2018 EDiMA<sup>1</sup> is discouraged by the European Commission's proposal on "promoting fairness and transparency for business users of online intermediation services". The proposal seeks to tip the balance to benefit business partners of online platforms yet the way in which it does this seems to be rather heavy-handed. EDiMA questions the need for overly prescriptive transparency requirements which go far beyond any standards applied to intermediaries in the offline world.

The published proposal places generic requirements on all online platforms and fails to take the differences between online platforms and their business models, which predetermine the operational structures that underlie the way that the platforms work with their business partners into account. A clear example of this is in how the proposal does not recognize the tailor made redress mechanisms already in place today.

Furthermore the question remains how this blanket Regulation is supposed to complement existing EU Competition law which already provides a robust framework for concerns to be addressed and in a much more effective way by that this is done on a case by case basis.

It furthermore need to be pointed out that throughout its information gathering phase the Commission failed to substantiate the claims that systemic problems exist in the relationship between online platforms and their business partners at large.

EDiMA will as it has from the beginning of this process, continue to be an active participant in the upcoming discussions with co-legislators and other stakeholders, to seek a Regulation that takes due account of the online ecosystem; ensuring the possibility for innovation today and in the future while taking into account consumer and business needs.

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<sup>1</sup> EDiMA is the European trade association representing online platforms and other innovative businesses. It is an alliance of new media and Internet companies whose members include Airbnb, Allegro, Amazon EU, Apple, eBay, Expedia, Facebook, Google, King, Microsoft, Mozilla, Oath, OLX, Snap Inc., TripAdvisor, Twitter, Veon Digital and Yelp. EDiMA's members provide Internet and new media platforms offering European consumers a wide range of online services, including e-content, media, e-commerce, communications and information/search services.