

COLLEGE OF EUROPE
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WHAT LEVEL OF CARE FOR HOSTING SERVICE PROVIDERS ?
A STUDY ABOUT UNCERTAINTY, LIABILITY AND INCENTIVES

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Abstract

This thesis explores the effect of the uncertainty surrounding Article 14 of the E-Commerce Directive on hosting service providers when deciding upon a level of care towards content uploaded on their sites. The disparities in the legal interpretations of the concepts included in the Directive throughout the European Union influence the optimal level of care chosen by firms, whose rational decision may not be aligned with other societal concerns.

Keywords

Liability of hosting services, E-Commerce Directive, Uncertainty of the liability online plat-forms