



CEPS TASK FORCE

The Collaborative Economy in the EU

Opportunities and responsibilities in an evolving digital ecosystem

Prospectus

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Background

In 2016, the European Commission published an ambitious [communication](#) aimed at spurring the development of Europe's Collaborative Economy. Ride-sharing, home-sharing and other forms of task-sharing "creates new opportunities for consumers and entrepreneurs," the Commission began. It can "make an important contribution to jobs and growth in the European Union if encouraged and developed in a responsible manner." The communication focused on how existing EU law should be applied to the Collaborative Economy.

Yet several years later, regulatory uncertainties still abound. All stakeholders – be they private companies, local authorities, communities or consumers - struggle with a patchwork of expansive local regulations and legal uncertainty. This fragmentation does not fulfill the intended objectives of the (Digital) Single Market, nor does it fully ensure transparent and necessary safeguards for consumers.

Key Issues

A new outlook, a new impetus, and above all, a new consistent pan-European approach, is required. The effective and uniform application of existing regulatory frameworks is essential, but is it enough? Would it be preferable to propose new legislation or policy tools? What measures can and should be taken to encourage the growth of the Collaborative Economy – while at the same time preserving Europe's vaunted social model, including its tax base, strong labor protection and high standards of consumer safety?

The incoming European Commission is readying to take office and review its options on how to address the challenges and opportunities of the Collaborative Economy. This CEPS Task Force will bring together various stakeholders to debate how best to move forward, including some suggestions on specific regulatory proposals that could be considered for the Collaborative Economy sector.

Key subjects to be tackled include:

- Diversity or divergence?: Defining the Collaborative Economy in Europe today
- The role of the Collaborative Economy in the broader regulatory and social ecosystem: what impact and opportunities for consumers, workers and local authorities?
- What's next for the (Digital) Single Market: maintaining market access and freedom to establish services in the face of regulatory fragmentation and cross-border considerations
- Liability and responsibility across the Collaborative Economy value-chain: content moderation, notice and action, user responsibility, insurance provisions
- Data-sharing and taxation issues: examining the multitude of ways Collaborative Economy platforms can contribute to tax revenues, whilst bearing in mind stakeholder obligations around privacy and the sharing of personal data

- The role of Collaborative Economy platforms in driving a more sustainable future

Organization and Methodology

The Task Force will ensure a venue for a structured closed-doors dialogue involving high-level policymakers, academics, and Collaborative Economy companies (spanning various sizes, sectors and geographies). The dialogue will be informed by the findings of the independent research conducted by CEPS and other relevant institutions cooperating in the Collaborative Economy across the EU.

Governance of the Task Force

The Chairperson(s) will be external experts appointed by CEPS.

The Rapporteurs will organize the meetings, conduct research independently and draft the final report.

The Task Force members – a group of stakeholders, industry, academics, policymakers, regulators, supervisory authorities, consumer/investor associations, etc.) – will inform the research agenda of the meetings and actively participate in the discussion and, together with the Chairperson(s), review the final report and comment on the list of recommendations.

All participants (except for the special guests) are required to attend (or designate another person) at least two (2) out of the three (3) closed-door meetings and will be invited to the public event dedicated to the launch of the final report. The roles are described in detail in the Annex.

Chairperson: Eva Kaili, MEP Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Member of the Committee on Industry, Research and Energy

Rapporteurs: **William Echikson**, CEPS Associate Senior Fellow, Head of the Digital Forum

Meetings

1st meeting: January 2020

2nd meeting: February 2020

3rd meeting: March 2020

4th meeting and launch of report: April-May 2020

How to join: For further questions, please do not hesitate to contact **William Echikson** by email William.echikson@ceps.eu or by phone on +32 475 66 97 36

You may also contact project manager **Jesse Goldberg** by email Jesse.Goldberg@ceps.eu or +32 484 65 83 87

Schedule and Content of Meetings

We will have four meetings, each lasting three hours in an afternoon.

Meeting 1

Introduction and scene-setting: what is a Collaborative Economy platform?

1. Introductions of participants of Task Force and discuss priorities for each stakeholder.
2. Refining the scope and goals of the Task Force.
3. Reviewing the present state of the Collaborative Economy in Europe and identifying common – and diverging - ground between participating industry partners. Coming to a definition of the Collaborative Economy.
4. Examining a definition of collaborative platforms and current relevance: Does the definition of Collaborative Economy under the 2016 Commission Communication still apply? How can this be interpreted according to different business models? What holes and gaps are there?
5. Defining the policy problem (what is the Collaborative Economy, how much control should platforms exercise, what has caused the most local resistance, etc.)

Proposed launch date: January 2020

Meeting 2

Where to next?: the future of the Digital Services Act

1. How does the e-Commerce Directive and its main legal provisions impact Collaborative Economy platforms today?
2. What will the main frontiers of the future legislative discussion be for these types of platform: liability, responsibility, country of origin, content moderation, Good Samaritan safeguards, and data-sharing with public authorities?

Proposed date: February 2020

Meeting 3

Collaborative Economy platforms in the broader ecosystem: impact on consumers, service providers, business supply-chain, and localities

1. Consumers: what are the obligations and challenges for platforms regarding their consumer base (transparency obligations, use of algorithms, encouraging sustainable choices)?
2. Labor: reviewing the impact of the Collaborative Economy on labor - best labor practices across EU
3. Insurance: reviewing challenges of insurance providers on cross-border collaborative platforms, and dealing with Member State regulation requirements
4. Working with local and national regulators: how to understand taxation in the context of Collaborative Economy services, and what role for platforms in supporting host obligations?
5. Local Impact and Environment: Understanding the impacts of Collaborative Economy on the local level. Jobs, spaces, housing, marketplaces, and environment.

Proposed date: March 2020

Meeting 4

Presentation of the Task Force Report

The Task Force report will be published and launched at a CEPS event, bringing together stakeholders. A PowerPoint presentation by the Chairwoman will kick off the discussion. Panelists from the EU, academia and companies will then respond before opening up the discussion to the audience.

Proposed date: April-May 2020

CEPS acknowledges support from Airbnb, Badi, FREE NOW, Zurich Insurance Group and Uber for this task force. It is conducted in complete independence. The authors take full responsibility for their findings

ANNEX

Principles and Guidelines for the Task Force

This appendix offers guidance to members of the Task Force and other parties wishing to understand the functioning of the initiative and the drafting process of the final report.

Task Forces represent structured dialogues among industry representatives, policymakers, academics and other relevant stakeholders who discuss topics in dedicated meetings.

The final report is the result of the research carried out independently by CEPS Rapporteurs.

Participants

The Chairperson(s) are expert appointed by CEPS to steer the dialogue during meetings and advise as to the general conduct of the activities of the Group.

1. The role of the Task Force members

All participants in the Task Force are considered members. This includes stakeholders, industry, academics, policymakers, regulators, supervisory authorities, consumer/investor associations, and independent experts.

The Task Force members will:

- Inform the research agenda of the meetings and the content of the active discussions;
- Contribute to meetings with active input, including targeted presentations;
- Support the research of the Rapporteurs and comment on the various drafts of the reports, including the possibility to produce written contributions (subject to the Rapporteurs' approval and editing);
- Ensure that the research behind the final report adheres to the highest standards;
- Have access to all the documents and presentation made during the meetings;
- Contribute to the recommendations that will be discussed and added to the final report.

There may also be guest speakers invited by CEPS to provide individual contributions to one or more meetings.

The lists of members of the Task Force will be featured in the final report and on the CEPS website. All members attend the meetings in a personal capacity and do not necessarily endorse the recommendations of the final report.

Objectives of the final report:

- The report is meant to contribute to the policy debate by presenting a balanced set of arguments, based on the discussions among participants and internal desk research.
- The report seeks to provide readers with a constructive basis for discussion. The authors will not seek to advance a single position or misrepresent the complexity of any subject matter.
- The report also fulfils an educational purpose and is drafted in a manner that is easy to understand, with technical jargon defined.

Drafting of the main text:

- In the main text, rapporteurs detail the results of the research carried out independently in the framework of the Task Force. This part of the report will refer to the discussions during the meetings but also to available data and literature.
- Scientific literature may be cited in this part of the report. Members are not expected to endorse any reference to this literature. A general disclaimer is inserted to clarify this aspect.

The Rapporteurs are CEPS researchers who organize the group, conduct the research independently and draft the final report.

The members are any individuals, such as academics, policymakers, regulators, supervisors, representatives of commercial companies, trade associations, consumer interests' groups, investors' associations, who participate in the activities of the Task Force in a personal capacity. They must have expertise in the topics discussed and provide input to the discussions through presentations and relevant material for the final report.

The conclusions of each section will be clearly presented.

Use of data

- The final report features data that are considered both relevant and accurate by the Rapporteurs.
- Task Force members are encouraged to contribute with any data or propose any source of data that Rapporteurs consider as relevant.
- Task Force members may question either the relevance or accuracy of any given data. After consultation with the Chairman, the Rapporteurs may decide either to exclude this data or to mention these concerns in the main body of the text.

Drafting of conclusions and recommendations

- The final report will feature assets of policy recommendations, drawn up by the Rapporteurs, which are meant to reflect the Task Force's discussions during the process. For a recommendation to be featured in the report, enough information needs to have been discussed in the open

debates among Task Force members. In all cases, the report will seek to identify the points where there is some sort of common understanding of the issues.

- Both policy recommendations and the content of the final report will be summarized at the beginning of the report in the form of an 'executive summary'.
- Task Force members will be given ample opportunity to review the final report and provide their input on a draft version. Nevertheless, the authors (Rapporteurs) will be solely responsible for the content of the final report.

Sample disclaimer

"The findings presented in this Final Report do not necessarily reflect the views of all the members of this Task Force. However, the members were involved during the drafting of the Final Report and provided input to the discussions through presentations and the provision of data and other materials, which have been used in this Final Report. A set of principles has guided the entire drafting process to allow all of the interests represented in the Task Force to be heard. The Rapporteurs are solely responsible for its content and any errors contained therein. The Task Force members, or their respective companies, do not necessarily endorse the conclusions of the Final Report."

Centre for European Policy Studies

CEPS is one of Europe's leading think tanks and forums for debate on EU affairs, with an exceptionally strong in-house research capacity and an extensive network of partner institutes throughout the world. As an organization, CEPS is committed to carrying out state-of-the-art policy research that addresses the challenges facing Europe and maintaining high standards of academic excellence and unqualified independence and impartiality. It provides a forum for discussion among all stakeholders in the European policy process and works to build collaborative networks of researchers, policy-makers and business representatives across Europe.

