



Digitization, Economy & Society, Regulation

# Platform regulation: no ***excessive digital regulation***

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## At a glance

- economiesuisse supports the goal of better enforcing applicable law in the digital communication space.
- In order for this to succeed, the Federal Act on Communication Platforms and Search Engines (KomPG) must remain narrow and be limited to procedural minimum standards.
- In the current version, the draft is excessive in several places, particularly with regard to OFCOM's powers, possible network blocking and the threat of fines.

With the KomPG, the Federal Council wants to improve the enforcement of existing Swiss law in the digital communication space. The focus is on very large communication platforms and search engines - especially when it comes to reports and complaints about allegedly criminal content, particularly in the context of publicly disseminated hate speech. The preliminary draft is thus aimed at an enforcement architecture: it defines procedural obligations, not new content bans.

## economiesuisse supports the goal, but calls for adjustments

economiesuisse submitted an opinion on February 16, 2026. The association supports the central goal of ensuring that Swiss law is also effectively applied to very large, cross-border services. The procedural approach of the preliminary draft is fundamentally correct. It is crucial that the narrow focus is consistently maintained, but that the draft is tightened up where there is a risk of false incentives and duplication of effort.

In order to turn the right approach into a practicable solution, economiesuisse sees four key points for adjustment:

- Protect freedom of expression and information: The draft must not create false incentives to delete content or throttle reach as a precaution in borderline cases (over-removal). Enforcement must remain focused on procedures and minimum standards, not on de facto control of results.
- Remain internationally compatible: Because large providers already operate in international regimes, Switzerland should not create special processes with no added value. economiesuisse is therefore calling for legal recognition of equivalence: equivalent procedures, evidence and reports must be credited, thus preventing a parallel system with duplication (separate Swiss reports, evidence, audit logics).
- Correct excessive enforcement instruments: Network blocking is a serious infringement of fundamental rights, free access to information and economic freedom and is clearly rejected.

- Design a proportionate sanction framework and reconsider the role of OFCOM: fines of up to 6% of annual global turnover are not compatible with the Swiss context and create false incentives. Content is thus removed in cases of doubt. In addition, the extensive supervisory and fining powers that would be given to OFCOM are not appropriate and increase the risk of parallel but different enforcement systems in Switzerland and in neighboring countries.

The ComCoP creates added value if it improves the enforcement of existing law as a lean procedural law without creating special Swiss channels. Central to this is an enforcement architecture that is simultaneously effective, compatible with fundamental rights and internationally compatible.



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