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# Liability and legal obligations of online platforms in Iran and the European Union

**Dr. Hassan Yeganeh ***
Assistant Professor of ICT Regulation & Organizing Research Group, Strategic Studies and Digital Economy Centre, ICT Research Institute (ITRC)
**Darab Solat Ghashghaei**
Researcher, ITRC

**Abstract**
Considering the unprecedented development and expansion of online platforms in the country and the increase in their commercial exchanges, it is very important to determine the liability of these platforms based on the existing laws and regulations in the country.
For this reason, this article, with a comparative study, deals with determining the framework of laws and regulations governing the civil liability of platforms and their legal obligations in Iran and the European Union, focusing on the laws and regulations in these two regions.
This article aims to provide a ground for identifying the rights and duties of cyberspace platforms by determining the legal framework, as well as studying these liabilities in the laws of the European Union. In this regard,this article seeks to provide solutions to amend the existing laws and regulations in order to help the growth and development of the platforms and protect the rights of the persons related to them.
key words: Cyberspace platforms - civil liability - Vicarious liability - legal obligations

**Introduction**
Today, cyberspace platforms are among the biggest players of e-commerce supply in Iran and the world. In their business exchanges, these platforms are connected with different strata, including users or consumers, producers and businesses of the same width, and form numerous transactions in the platform of electronic commerce (OECD, 2019).
The scope of activities of the platforms is also very diverse and today we see the activities of social messengers to online stores and digital distribution services that provide cinema, cultural and entertainment products in the market. (Asadullah, 2018)
Considering the scope of the activities of the platforms that was mentioned earlier, determining the liability of these platforms and the obligations that they will have to business partners, users or third parties according to the law is one of the most important issues.
Like any other natural or legal person, the platforms are also responsible to other people (Kritikos, 2021) considering that the major damages and losses that may be caused by the activity of the platforms to other different natural and legal persons caused by the civil liability of the platforms . (Lefouili & Madio, 2021)
The focus of this article is on the review of the laws and regulations in the framework of which the civil liability of the platforms is determined, and in this context, in addition to the review of the internal laws and regulations, a look at the digital services law of the European Union, which is the most important law of this union in determining the liability of the platforms will be provided so that it is possible to compare and model the solutions proposed in the European Union in relation to the liability the platforms.
It should be noted that the criminal liability of the platforms becomes important when the platforms commit any of the crimes mentioned in the Islamic Penal Code or the Computer Crimes Law that is related to their activities.
This article does not examine the criminal liability of platforms; However, due to the high importance of the issue of criminal liability caused by Vicarious liability, which

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is mostly plaguing platforms today, this topic will also be discussed in this article.

At the end of the introduction, it should also be noted that domestic research sources are mainly focused on the general issues of civil liability, and in particular, less importance is given to the liability of online platforms and the existing internal and external regulations in this field in the country.

**Research method**

This article has used the descriptive method and comparative reasoning in examining the liability and legal obligations of the platforms, and at first, after identifying the current situation in the country in the field of civil liability of the cyberspace platforms, using the interpretation and description of the collected data, and then comparing these data is based on the information obtained from the comparative study of EU laws.

**1.The framework of laws and regulations governing the liability of platforms in Iran**

in order to examine the civil liability and legal obligations of cyberspace platforms.Two very important legal documents are examined in this article.

The first one is the document of policies and major requirements for supporting competition and countering the monopoly of cyberspace platforms, which was approved by the Supreme Council of Cyberspace and within the framework of the powers of this council under the order of formation and appointment of the members of the Supreme Council of Cyberspace.

And the second legal document is Iran's Civil Liability Code.In this part, the document of the Supreme Council of Cyberspace will be examined first. This document has compiled the obligations of the platforms towards users, other platforms and businesses as well as government in several important frameworks, which is important to review .

**1-1-The liability of the platforms in the document of policies and major requirements of supporting competition and countering the monopoly of cyberspace platforms**

According to the document of policies and major requirements of supporting competition and countering the monopoly of cyberspace platforms in Iran is the only legal document that clearly defines the liability of the platforms.

The document of policies and requirements for supporting competition and dealing with the monopoly of platforms is approved by the Supreme Council of Cyberspace, this document defines the liability of platforms in several dimensions.

It should be noted that due to the importance of some commitments mentioned in the document, necessary explanations have been provided regarding these commitments.

**1-1-1 The requirements of platform service providers towards users (policies and requirements document, 2019)**

In this area of the document, Article 4 of the document has 5 main obligations for online platforms. These obligations include: prohibiting the exclusive installation of proprietary programs by default, transparency and the possibility of distinguishing between different search results, data protection and the possibility of transferring them, prohibiting restrictions and creating technical discrepancies in the use of competing platforms and prohibiting the creation of dependence in the use of services of different platforms.

The above cases are also mentioned in the foreign researchs among the obligations of the platforms, for example, the default installation of programs is one of the cases, especially in open source operating systems; It is very visible like Android and prohibiting the installation of these types of programs actually gives users freedom of action. (Rashed et al, 2019)

The protection of users' data is one of the most important liabilities of the platforms, because the disclosure of information has led

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to losses for users. And access to data should always take into account the rights of interested parties . (UNDG, 2020) And users should always have the right to use different platforms, and the platforms should not include restrictions on the violation of this right of users, because this restriction will disrupt the competition. (OECD, 2021)

On the other hand, the platforms' liability towards users, in addition to what is required according to the document are also included under titles such as Terms of Services or Terms of Use or Terms and Conditions, in order to increase the confidence of users about the correct functioning and liability of the platforms, and as a result, the number of users of the platforms will increase.

Regarding the liability of the platforms towards the users, in addition to the above obligations, the obligations of the Consumer Rights Protection Law must also be observed.

Another part of the legal obligations of the platforms refers to the obligations of the platforms towards the businesses that the Supreme Council of Cyberspace has given the title of beneficiary business.

In this section, the review of these requirements is discussed.

**1-1-2 Requirements of platform service providers towards beneficiary businesses (policies and requirements document, 2019)**

Article 5 of the document has included 9 main obligations for platforms towards businesses, some of these obligations are in the field of transparency, obligations such as the need for transparency of services, contracts, ranking of businesses and products.

The reason for including these rules is that the transparency of the regulations, services, terms and contracts of platforms is very important not only to other businesses but also to consumers and is considered one of the success or failure factors of the platform. (Veltri et al., 2020)

Some of the obligations of other platforms towards businesses are focused on the competitive obligations of these platforms, obligations such as prohibiting discrimination, not prohibiting businesses from using other platforms, prohibiting differentiation between their own goods and services and third parties, prohibiting the requirement to acquire and applying different conditions in other platforms and prohibiting any kind of obligation outside the contract.

The above-mentioned cases are all explained in order to ensure healthy and fair competition in the market, and principles such as prohibiting discrimination between the platform's own goods and services and the goods and services of other businesses or applying different conditions in similar contracts are among the competitive obligations of all businesses. (OSBORNE, 2022)

It should be noted that some of the obligations and liabilities that the Supreme Council has stipulated under the requirements of the platforms towards the operating businesses are considered to be among the general liability of individuals.Things like the transparency of contracts and the prohibition of requirements outside the contract or the determination of dispute resolution methods are all taken from the provisions of the civil law.

Another part of the legal obligations of the platforms refers to their obligations towards other platforms, including competing platforms, and these obligations are discussed in this part.

**1-1-3 Requirements of platform service providers towards other platforms (policies and requirements document, 2019)**

Article 6 of the document stipulates several important and basic obligations, all of which are obligations in order to maintain fair competition as follows:

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• Prohibition of committing anti-competitive acts

It is very general which basically includes all anti-competitive measures and prohibits the platforms from doing them.

Despite this commitment, there was no need to mention other commitments in this section; Because things like prohibiting the use of a dominant position, prohibiting exclusive agreements, or prohibiting the creation of one's own cartel are examples of anti-competitive measures. (Aladdini and Shiri, 2015)

• Prohibition of using the position to limit the market

• Prohibition of exclusive agreements and imposition of unfair contracts

• Prohibition of creating or facilitating the creation of cartels

The requirements and obligations that are stated in the document for the platforms against other platforms are on the one hand the right of other platforms and on the other hand the duty of platforms.

The final part of the platforms' obligations in the document is also focused on the platforms' legal obligations towards the government, and they will be examined in this section.

**1-1-4 Requirements of platform service providers towards the government (policies and requirements document, 2019)**

The last category of obligations of the platforms are stated in Article 7 of the document, these obligations are mentioned in the document as the obligations of the platform towards the government, and the meaning of these obligations is the obligations of the platforms towards the regulatory authorities, these obligations include:

•Providing data requested by the Competition Council

This obligation is considered a very sensitive obligation because it may expose the data of the platforms, in the laws of other countries and regions such as the European Union, this obligation is either in the form of accessing data and not receiving it, or basically like The United States such obligation does not exist. (Czarnocki, et al, 2021)

• Presenting the method of rating the operating businesses to the Competition Council

• Submitting a report on the acquisition or disclosure of users' information to the Competition Council

• Prohibition of expanding the activity of the dominant platform to other parts of online platforms

• The need to obtain a license for dominant platforms from the Competition Council

In principle, compliance with any mandatory rule is considered a person's liability towards the government.The above-mentioned cases are the cases that have directly and explicitly determined the liability of platforms in front of the government.

**1-1-5 Punishment for not complying with the liabilities stipulated in the document**

No sanction, punishment or fine has been considered in the document for not complying with the liabilities and requirements of the platforms, and for this reason, the sanctions of the violation of the provisions of these requirements has not been determined.In general, the punishments are still applied according to the law on the implementation of the general policies of Article 44 of the Constitution.

**1-2- The liability of the platforms according to the civil liability Code**

The civil liability Code is The second law that is reviewed in line with the civil liability of platforms, this law, which is a translation of a part of the Swiss Law of Obligations, was approved in 1339 with 16 articles (Hayati, 2018).

It has determined the cases of liability of natural and legal persons, including the government and its sub-categories, and there

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is no exception according to which online platforms are exempted from compliance with this law, so all platforms are obliged to comply with this law in their exchanges and transactions with users and other platforms.

**Article 1 of the Civil Liability Law stipulates:**

• Anyone who, without the permission of the law, intentionally or as a result of carelessness causes damage to life or health or property or freedom or reputation or commercial reputation or to any other right created for individuals according to the law, causing material or moral damage to another, is responsible for compensation .

Therefore, one of the pillars of realizing civil liability is the occurrence of a harmful act, and with this harmful act, the subject (platforms) is required to compensate for the damage. (Yazdanian, 2015)

So, according to Article 1, in the event of a harmful act, it is possible to compensate for any type of damage caused to individuals.

Person In the text of the law, means any person, both natural and legal persons, and it includes all platforms, as a result any type of damage to users or other platforms caused by not complying with the necessary standards of activity in cyberspace, supply of harmful and low-quality products, publication of content leading to the discrediting of competitors or users, misuse of users' private information, etc., will lead to the platform's liability in compensating the victims.

Of course, it should be noted that the mere realization of loss and harmful act or fault does not impose liability on individuals, and it is necessary to have a causal relationship between the loss and the harmful act. (Mohsani and Ansari, 2018)

In this regard, Article 2 of the Civil Liability Law stipulates as follows:

In the case that the action of the person causing the damage has caused material or moral damage, the court, after investigating and proving the matter, will order him to compensate the aforementioned damages.

Therefore, the legislator has deemed it necessary not only to compensate the material damages, but also to compensate the moral damages suffered by the victim, and this issue is considered a big step towards the realization of justice and the restoration of the status of the victims. (Nikfarjam, 2013)

Unfortunately, no related case or judicial record was found in the field of compensating spiritual or moral losses caused by the activities of platforms in Iran, but by examining similar cases in other countries, a case in Russia attracts attention in this field, In 2022, a Russian company requested damages amounting to 1,200,000 dollars equivalent to 90 million rubles from Apple due to the suspension of Apple's payment service called Apple Pay in Russia, and the case of this matter is being processed in the Moscow court. The Russian company claimed that the suspension of Apple services led to the suspension of the sale of this company's products and created many problems for Russian citizens, and as a result, the Apple company must also compensate the moral damages of the users . (PYMNTS, 2022)

**1-3 Platform liability in case of user violations**

In this regard, it is very important to distinguish the liability of the user and the platform, in this part, we will examine the legal documents and the possibility of assigning the user's violation of law to the platform.

**1-3-1 Islamic Penal Code (1392) Article 142 of the Islamic Penal Code stipulates:**

• Criminal liability due to others behavior is established only if a person is legally responsible for others actions or commits a fault in relation to the result of another committed behavior.

The discussion raised by Article 142 of the Penal Code is known in legal terms as the

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Vicarious liability. In this regard, the concept of Vicarious liability is defined as follows:

• In the Vicarious liability, someone is responsible for another act; such as the employer in the workshop and the responsible manager of the publication about the author of the article included in the publication. (Kalantari, 2019)

In fact, the approach taken by the legislator in Article 142 is not basically Vicarious liability, and it cannot be contracted in this area, because if the criminal liability is based on negligence and fault, it is a personal criminal liability and conforms to the principles and rules. (Jaafari , Mojtaba 2019)

Now, what will be the situation regarding the platforms? In relation to the platforms, it should be noted that if the platform commits a fault in complying with the applicable laws and regulations of the country, or in applying the necessary technical standards in accordance with custom, in order to maintain security and monitor users, it will personally be penalized in proportion to the fault and the offense committed and it will be punished.And this will not be Vicarious liability Rather, it will be the personal liability of the platform itself in performing legal duties, a liability according to which the punishment is applied only to the responsible person (wise, mature, informed and independent), not to every person who commits a crime (Goldozian and Hosseinjani, 2018).

But in the assumption that a platform has taken all the necessary measures and has followed the usual standards and procedures in maintaining the security of the platform and monitoring the user; However, one or more delinquent users have used the platform to commit a crime by performing illegal actions such as concealing their identity, fraud, etc. Basically, the platform is not at fault, and in addition, the platform had no intention of committing a crime.

In addition, Article 143 of the Islamic Penal Code stipulates the liability of a legal entity as follows:

• In criminal liability, the principle is on the liability of the natural person, and the legal person has criminal liability if the legal representative of the legal entity commits a crime in the name or in line with its interests. The criminal liability of legal entities does not preclude the liability of natural persons who commit crimes. (Mousavi Mojab and Rafizadeh, 2014)Therefore, online platforms, which almost all operate in the form of a legal entity, in addition to committing negligence and fault, are subject to punishment only if their legal representative commits a crime in the interests of the platform or in it's name.

In the following, we will refer to one of the topics related to the liability caused by another act which is interpreted from the civil law.

**1-3-2 Civil Law (1929)**

In the civil law, there is an article whose common concept can be used regarding the civil liability of platforms for users' violations, article 332 of this law stipulates:

• When one person causes the loss of the property and the other conducted the loss of that property, the conductor is responsible, not the cause, unless the cause is strong, in such a way that the loss is usually documented to him.

Therefore, according to this article, it can be said that the platforms are responsible for damages caused by users' violations if their role in causing damage is more important and stronger than the role of the offending user himself

**2-The framework of laws and regulations governing the liability of platforms in Europe (European Union Digital Services Law (DSA, 2022)**

The digital services law of the European Union is one of the most important laws of this union in regulating the exchanges of digital markets by determining the liability of

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all platforms active in this market. (Buri & Hoboken, 2021)

For this reason, in this part, this law will be examined to provide a broader view of the liability of the platforms, so that while conducting a comparative study, it is possible to create a ground for modeling and using the solutions of this law in the country.

For this purpose, first, general information about this law is presented and then its provisions are examined. The addressee of the law is all cyberspace platforms that provide services to users residing in the European Union (paragraph 3, article 1).

**2-1 Liability of intermediary services (Clause F, Article 2)**

It should be noted that the intermediary services are currently one of the most important platforms in the European Union and play a very important role in maintaining and creating infrastructure for exchanging information and performing economic and other activities in the platform. They have the Internet, and for this reason, explaining their liability is very important for the European Union. (Sartor, 2017)

**2-1-1 Liability of mere intermediary services (Article 3)**

According to Article 3 of the law, services that only play the role of an intermediary in the transfer of exchanges and have no role in receiving, initiating, or editing and modifying information have the least Liability in terms of liability compared to other intermediary services. And only if they interfere in the beginning, choose the audience or edit the information, they will be responsible.

**2-1-2 Liabikity of Storage services (Article 4)**

These types of services will be responsible in case of information editing, failure to update information according to custom, interference in the legal use of information, or in case of deletion of information without a legal order or without ensuring the deletion of information from the original source.

Therefore, the liabilities of storage services are often focused on the inherent duty of these services to preserve and store users' information, and as long as these services perform the conventional storage procedure without interfering with editing, deleting or changing information, they are not responsible for users.

**2-1-3 liability of hosting services (Article 5)**

Hosting services in case of knowledge of illegal content and illegal activities, knowledge of the conditions of occurrence of illegal activities or provision of illegal content, no deletion of illegal content or prevent illegal activities in case of knowledge of them against other persons will be responsible.

In the law of digital services, despite focusing on intermediary services, there are obligations and liabilities that are not specific to these services, and all cyberspace platforms are required to comply with these legal obligations and liabilities .

**2-2 liabilities of other online platforms stipulated in the Digital Services Law**:

The digital services law includes liabilities for platforms that include all platforms and are not specific to intermediary services. These liabilities are within the framework of the European Union's coordinated measures to regulate the digital markets of this Union and in harmony with other European Union laws. (Caufman & Goatna, 2021)

The general obligations of platforms in this law are: Providing a clear report of the number of resolved disputes and the number of user complaints (Article 13), making it possible to complain about the platform (Article 17), giving users access to non-judicial dispute resolution methods (Article 18), Paying attention and taking the necessary measures following the report of illegal activity or content supply (Article 20), suspension of service provision after warning to users who violate the rules (Article 21),

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guaranteeing the complete provision of information of merchants active on the platform (Article 21) and the ability to be identified. Distinguishing advertisements and their owners (Article 24).

The specific obligations of large platforms (with more than 45 million users in the union) in this law are:

Identifying systemic risks and evaluating risks arising from annual operations (Article 26), considering effective risk adjustment mechanisms (Article 27), annual audits (Article 28), providing clear and unambiguous terms and conditions for using services (Article 29) and Collecting and storing advertisement information by large platforms, including the owner of the advertisement and its content (Article 30).

In the following, the penalties included in the digital services law for violating legal liabilities are examined. Article 42 of the law is dedicated to the punishments for violating the provisions of the law.

This article, however, left the explanation of the punishments to the members of the European Union and only included rules such as the effectiveness of the punishments, the proportionality and deterrence of the punishments, the fines not exceeding the maximum of 6 annual financial turnover of the platforms for setting the punishments that the members must comply with in explaining the punishments.

Due to the fact that proportionality, harmony and alignment between punishment and crime are essential elements of a balanced criminal system (Sabzovarinejad, 2016), these rules are all in line with the principle of proportionality of crimes and punishments.

Therefore, by observing the above-mentioned rules, the member countries have the authority to determine effective and deterrent punishments for the offending platforms, according to the conditions of their country and the volume of activity of the platforms in them.

In the following discussions, the liability of large and small platforms in the European Union is discussed, which is very important in determining the liability and punishment of violators and leads to the observance of balance and justice between new and large platforms.

**2-3 Separation of liabilities of large and small platforms in the European Union**

In this section, the division of liability between small and large services in the European Union to support new platforms is mentioned:

**2-3-1 Digital Services Law**

Despite some common liabilities, such as the liabilities of intermediary services, the European Union has not considered the same liability and punishment system for all platforms. In fact, some liabilities in the European Union are specific to the platforms that this Union calls “big platforms” or “very big platforms."

For example, the title of the fourth part of the European Union Digital Services Law states additional obligations for very large online platforms to manage systemic risks, and Article 25 of this law stipulates that this section applies to online platforms that offer their services to a number of the average monthly active recipients of this service in the Union provide equal to or more than 45 million people.

Although the law of digital services itself does not include a penalty for the liabilities included in the law, but according to the principle of proportionality and effectiveness of the punishment, which is considered as a mandatory punishment in Article 42 of this law, the punishment of large platforms is naturally different from the platform.

**2-3-2 Digital Markets Law (DMA, 2022)**

This law basically targets big platforms and small platforms are generally not included in this law, and the legislator has removed them from the scope of the law by understanding the newness of the platforms and the

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limitation of financial ability as well as the economic effectiveness of these platforms (Akman, 2022).

The companies included in this law are social networks or search engines, with a market capital of at least 75 billion euros or an annual turnover of more than 7.5 billion euros (EU Press, 2022) .

These companies must have at least 45 million monthly end users in the European Union and have 10,000 annual business users, Therefore, basically, any punishment provided by this law is also for violations committed by big platforms, and platforms that do not meet the above-mentioned conditions will not be included in the punishments of this law.

In the following, a comparative comparison of the liability of the platforms in Iran and the European Union is discussed.

## 3-Comparative comparison of platform's liability in Iran and Europe

In this part, the summary and comparison of the liabilities of the platforms in Iran and the European Union will be discussed according to the data collected in this research in order to provide a platform for modeling and using the positive solutions of the European Union in the country.

### 3-1 Separation of platform's liability

As mentioned in the previous discussions, separating the liability of big and small platforms is one of the important measures that the European Union has included in its laws.

This division of liability, which is determined based on the number of users or the annual income and financial turnover of the platforms, makes the smaller platforms that have recently entered the market, in case of committing a violation, have a second chance to return to economic activity and with a violation not to be removed from the market, and on the other hand, large platforms face heavy fines so that they are not encouraged to commit violations again.

Unfortunately, in none of the existing laws and regulations in the country, there is no separation of liabilities between different platforms, which will hit new platforms the most because the same punishment may be applied to a small platform and a large platform, although attention to The principle of proportionality of crimes and punishments can be helpful in this matter.

### 3-2 Explanation of the platform's liability in case of user's violation

In the European Union, including articles 5, 20, and 21 of the Digital Services Law, it has been carefully determined that the platform is required to monitor the data and content exchanged, and if illegal content is observed, it is required to submit a report.

The user will be warned and the service will be suspended, and the platform will be held responsible in case of knowledge of illegal contents and failure to take necessary measures to remove them.

This is while, unfortunately, in Iran, the liability of the platforms against the violations of the users has not been specifically defined and this liability is determined according to the general rules of the liability of legal entities and the Vicarious liability mentioned in Article 142 of the Islamic Penal Code, unfortunately the aforementioned general rules are not Proportionate to the nature of the platforms and their activity in digital markets and they cannot meet the needs of the supervisory authorities.

### 3-3 Separation between the types of activities of different platforms

The issue that is considered in articles 2 and following of the Digital Services Law is the definition of different types of platforms and then the determination of liability based on the type of activity of the platform.For example, the liability of an active platform as an intermediary service of information

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storage is different from the liability of an active platform as an intermediary service of hosting data, and each has a separate liability towards individuals depending on the type of activity.

Unfortunately, in Iran, there is no separation between the liabilities of the platforms according to their type of activity in the laws and regulations.And the separation made in the policy document and the macro requirements of the support of the competition is also according to the audience of the liability of the platforms, not their type of activity.

In this regard, the separation of liabilities according to the type of activity can be more effective in regulating the activities of the platforms.

**3-4 Deterrent Legal Sanctions**

In the European Union, some of the fines for the offending platforms reach several billion euros. This type of Financial Sanctions are very deterrent and certainly will lead to responsible behavior of most platforms in the market towards natural and legal persons.

In this regard, applying a suitable financial sanction for platform violations in the country can be a positive step to clarify the platform's liability, which unfortunately is currently very fragile in the country and lacks sufficient deterrence.For example, in the document of policies and requirements for the protection of competition, which is the most specialized legal document of the country in the field of the liability of cyberspace platforms in the country, not only fine but basically sanctions are included for the liability of the platforms. And this issue has been referred to other laws and regulations.

**3-5 Consolidation of liabilities in one law**

The positive thing that can be seen in the digital services law of the European Union is the consolidation of the liabilities of cyberspace platforms in a single law.

In addition to the transparency of liabilities, this prevents the confusion of cyberspace platforms and people related to these platforms in knowing their rights and duties.

This is despite the fact that the various categories of liability of the platforms in Iran should be found in the general rules contained in various laws, such as the civil liability law, the Islamic penal law, the e-commerce law, and the consumer rights protection law.And this issue will cause lack of transparency and confusion of people in understanding the rights and duties of the platforms, and for this reason, combining the rules in a special law is a very suitable solution to promote transparency.

The cases mentioned in this section, in addition to highlighting some of the country's legal gaps in the field of liability of cyberspace platforms, can open the way for legislators to amend the country's regulations and follow the European Union's strategies in explaining the liability of platforms according to the needs and national interests of the country. And finally lead to the development of the country's digital markets and the expansion of productive businesses in this field.

**Conclusion**

The present article is different from other researches conducted in the field of civil liability because it deals with the specific study of the liability of cyberspace platforms in Iran with a view to the European Union regulations in this field.

In this article, by adopting a descriptive approach, an attempt was made to comprehensively examine the regulations governing the civil liability of platforms in the country

In addition to determining the framework of laws and regulations governing the liability of platforms in the country, the rights of other persons who are in constant contact with these platforms are also determined.

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Because every right has a duty and vice versa; Therefore, whatever is considered the liability of the online platform, on the other hand, can be the right of other persons, including users, producers and other platforms.

The conducted study shows that the regulations governing the liability of the platforms in the country unfortunately did not have sufficient comprehensiveness and appropriateness with the nature of the platforms and in addition, they lack the precise and certain sanctions to deal with the violations of the platforms.

The situation is different in the European Union regulations, because these regulations, in addition to focusing specifically on the platforms as the addressee of the law, clearly define the liabilities that come directly to them as a result of the activities of the platforms and have clear sanctions that are effective and deterrent for dealing with platform violations.

In addition, the separation between the liabilities of new and large platforms is another case. Unfortunately, there is no such seoeration in the country while such separation is in line with the principle of proportionality of crimes and punishments it makes small platforms have more opportunity to grow and not be removed from the market with the slightest violation.

According to the explanations given and the studies conducted in this research, for the transparency of the liability of the platforms as well as the deterrent treatment appropriate to their violations, it is necessary to amend the existing laws and regulations in the country in such a way that the liability of the platforms is determined according to their capital or users.

In addition, the legal sanctions in the country should be proportional to the liability of the platforms and their violations, and such sanctions should be clearly mentioned in the regulations.

By adoptiong the mentioned measures, in addition to administrating the justice for the people who have suffered from the violations of the platforms, it will be possible to develop the country's digital market with proper monitoring of the behavior of the platforms.

**Recourses:**

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