

IMMINENT DANGER FOR EUROPEAN PRESS

The envisaged Digital Markets Act (DMA) risks creating an information monopoly of the gatekeeper platforms

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Media pluralism and the editorial diversity of newspapers and magazines are a precondition for an independent and pluralistic formation of opinion in the European Union. Ensuring accessibility and visibility for the full diversity of editorial offerings is absolutely necessary, EMMA & ENPA want to recall on the occasion of the World News Day.

The Digital Markets Act is a historic and potentially the only chance for the EU to address market imbalances caused by the gatekeeper platforms and to ensure fair and non-discriminatory distribution of the free press and media. However, the draft DMA at present on the table regrettably falls short on some of the key provisions. We would highlight the following (*a link to our full and detailed comments is available at the end of this press release*):

- Non-discriminatory and fair access conditions must not be limited to the two app stores, but must be extended to all "core-platform services", in particular to the search engine monopoly and social network monopoly.
- The introduction of an obligation for gatekeepers to participate in binding procedures to set a fair price for services such as the licensing of the publisher's right.
- The DMA must comprehensively and effectively prohibit not only self-preferencing, but also giving preferential treatment to selected third parties.
- Gatekeepers must not be allowed to discriminate against relevance-based intermediation in favour of paid intermediation.
- Web browsers must be included in the scope of application.
- The prohibition of combining data from different services must apply regardless of consent of the user.

Should those shortcomings not be addressed in the legislative process by both European Governments and the European Parliament, this important regulation risks becoming a toothless tiger which in some instances would even legitimize the unjustifiable behaviours of the gatekeepers.

EMMA President, Xavier Bouckaert said: "Market-dominant platforms that also offer editorial media services, exercise an ever-increasing amount of control over the formation of citizens' opinions. Ultimately, these platforms decide which media or content can be accessed under which conditions. We call on European governments and the European Parliament to make sure that the DMA does not fail to counter the abusive practices of the gatekeeper platforms."

ENPA President, Jean-Pierre de Kerraoul said: "Access discrimination by the gatekeeper platforms must be forbidden and a binding regulatory procedure in case of a dispute to set a fair price for services (licensing of press publisher's right) has to be introduced. If the DMA fails to deliver on the expectations to restore balance in the digital markets, it risks becoming a regulation protecting those gatekeepers it intends to regulate. This needs to be taken urgently into account by the European legislators."

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See: www.magazinemedia.eu/

***ENPA**, the European Newspaper Publishers' Association (ENPA) is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European countries, and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union. See: www.enpa.eu/*