

2021-11-05

The Nordic media associations are concerned that important elements are still missing in the work to strengthen Nordic media companies position vis-à-vis the platforms. This is despite extensive evidence of gatekeeper's current behaviour in various markets and proves that this is much needed. The Nordic associations note that in the ongoing negotiations there is scope for clarification and improvement. We encourage the Nordic governments to make a united effort to seize this unique opportunity while it is still available

Below we would like to highlight some improvements that we consider necessary for the purpose of Digital Markets Act (DMA) to be realised.

1. Article 6(1)(k) on fair and non-discriminatory access should cover all basic platform services. It is arbitrary to limit a conditional obligation to app stores only.
2. Extending the scope of 6(1) (k) would support news publishers in difficulty across the EU in their negotiations with gatekeepers on the implementation of publishers' rights under the DSM Copyright Directive.
3. Voice assistants and browsers should be included in the list of basic platform services as they play a uniquely important role as digital gateways. Since the obligations are applied to other platform services, there is a risk that gatekeepers will otherwise shift problematic behavior to these services.
4. Prohibition of gatekeepers' preferential 'embedding' of separate own services and preferential treatment of selected third parties (Article 6(1)(d)(d));
5. Prohibition of discriminating against relevance-based general search results in favour of paid search advertising (Article 2.2.18b (new) DMA and Article 6(1)(d1)(new).)
6. The proposed prohibition on combining data from different own services with data from third-party services will be ineffective unless the exemption for consent is struck/removed from the article. (Article 5(a)).

Mads Brandstrup, CEO The Danish Media Association

Jukka Holmberg, CEO The Finnish Media Federation

Randi S. Øgrey, CEO Norwegian Media Businesses' Association

Johan Taubert, CEO The Swedish Media Publishers' Association