

Anniversary of the application of the Digital Markets Act obligations European broadcasters commend the European institutions and call for an effective application of the Regulation

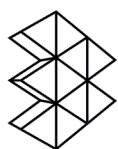
We, undersigned, stand close to the European institutions and support the actions carried out to enforce ex-ante rules that have been collectively and democratically agreed.

The adoption of the Digital Markets Act (Regulation (EU) 2022/1925) has been a fundamental achievement of the European Union as it addresses major concerns that, over the years, had been raised by business users and consumers regarding anticompetitive behaviors in the digital sector. The DMA tackles many of these problematic practices by enshrining into law principles that have been upheld by national courts and by the European Court of Justice in milestone rulings¹.

The obligations set by the DMA aim at ensuring a fair business environment and access to a wide variety of services for consumers. Access to audiovisual media services on connected TVs should not be controlled by a handful of tech companies. For the broadcasting sector an open and contestable market entails a plural and diverse media landscape online. To this end, the DMA should be applied in a technologically neutral manner².

In fact, major providers of operating systems (OS) for connected TVs control access to services catered in a multisided market for viewership, advertising and data that enable attention-based competition. This is especially problematic if the gatekeeper is also designated for ad-tech services and its search engine, as these are critical core platform services for the functioning of connected TVs. Therefore, we urge the European Commission to apply a technologically neutral definition of the OS in order to encompass the OS of connected TVs.

European broadcasters are drivers of cultural diversity and ensure plural information within a prescriptive legal framework that safeguards European citizens' rights and upholds European values. Gatekeepers, which largely benefit from the European Single Market, should guarantee fair access and contestability which are the *conditio sine qua non* for a pluralistic media and information space.



ATRESMEDIA



¹E.g.: Judgment of the Court in Case C-48/22; Preliminary ruling in Case C-252/21

²Recital 14, DMA