

Executive Vice-President Margrethe Vestager
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels

Brussels, 6 July 2020

Re: Call to include interoperability provisions as part of the Digital Services Act

Dear Ms. Executive Vice-President Vestager,

We write as keen supporters of the three key objectives of the Commission's February 2020 Digital Future Communication:

- ensuring technology works for people
- a fair and competitive economy, and
- an open, democratic and sustainable society.

In this context, we call on the European Commission to include, in its forthcoming proposal for a **Digital Services Act**, *ex ante* **interoperability requirements** for major actors in digital services markets characterised by significant network effects, in order to ensure real choice, fairness and contestability.

For **business users**, interoperability means **greater choice, more efficiency, and lower costs** because they enjoy a wider choice of suppliers for each task, and the possibility to obtain equipment, services and systems that are more closely adapted to their specific needs for each task.

For the **European Internet industry**, and in particular **SMEs**, the anti-competitive barriers created by the lock-in of established userbases into specific service providers due to network effects or closed proprietary solutions, can be reduced by interoperability. New, innovative solutions can be brought to the market. Interoperability is key to Europe's competitiveness in the digital transformation.

For **citizens**, interoperability means more choice as they get the possibility to shop around for the best offer **independent of the choices made by their peers**, and select tools that match their own values, needs and preferences – for example, privacy or accessibility.

Historically, the EU has successfully required and pioneered interoperability in ICT markets as essential as:

1. Telecoms (Local Loop Unbundling),
2. Fintech (Payment Services Directive 2), and
3. Web browsers (both supporting W3C standards and requiring Microsoft to permit interoperability with their operating system).

We therefore strongly support the Commission's suggestions to use interoperability requirements extensively as a policy tool to improve efficiency, competition and choice in several policy areas in its latest strategies. We welcome, for example, the [Digital Future Communication](#) explicitly mentioning interoperability as part of the efforts in 5G and 6G; digital health; eID; supercomputing; quantum technologies; blockchain; secure, pan-European cloud capacities; and exchange of electronic health records. We also welcome the [Communication on A European Strategy for Data](#) recognising data interoperability is key for the exploitation of data value, as well as a tool for increased competition by making it easier to switch between cloud providers.

In light of all this, we urge you to include specific measures requiring interoperability of Internet platforms in the forthcoming Digital Services Act package, as part of the ex ante rules to increase competition by decreasing the gatekeeping power of incumbents. In our view, such measures should be included in the ex ante regulation for all digital services characterised by significant network effects, with a particular focus on social media and messaging providers, with particular rules for gatekeepers, that you announced at the European Parliament's Internal Market and Consumer Protection Committee on 4th May.

Industry and SME representatives, civil society organisations, consumer representatives and think tanks across Europe share the Commission's concerns about many issues in the Internet platform market. Several research efforts are underway to provide well-reasoned and measured input to the policy process. With this letter, we express our wish to work with and support the Commission in its efforts to develop a Digital Services Act that best addresses the challenges for Europe's Digital Future. We also look forward to submitting a detailed response to the DSA consultation now underway.

Signatories



article19.org



Brave Software, Inc



Electronic Frontier Foundation



European Digital Rights (EDRI)



European DIGITAL SME Alliance



Jolocom GmbH



Mailfence - ContactOffice Group sa



The Matrix Foundation



Open-Xchange GmbH



Redecentralize.org



Tutanota