

Suggested DMA Amendments on Interoperability

The proposed amendment below would extend the interoperability obligation of Article 6(1)(f) to cover core services in addition to the ancillary services in the Digital Markets Act, and make explicit this benefit also applies to end-users.

Interoperability is the basic principle on which the internet was built. It is a technical mechanism for computing systems to work together, even if they are from competing firms. Well-known examples of interoperability include e-mail, telephone voice and messaging services. Interoperability on the platform layer is increasingly limited, or exclusively provided within gatekeepers' own ecosystems. The DMA has the potential of bringing positive economic effects across the platform markets, and not just provide interoperability when it suits the gatekeepers' business interests.

Interoperability used in the DMA as a pro-competitive tool would limit the network effects that protect incumbents and exclude challenger firms. It is a tried and tested competition tool. Legal and regulatory pressure for increased interoperability in digital markets in the past (such as the European Commission's case in the browser market) enabled the current gatekeepers to scale and compete.

The Commission's proposal of an interoperability obligation for gatekeepers relating to ancillary services is a good start, but extending the provision to core platform services would lower barriers to entry and increase competition across the platform market. This extension would fuel competition and innovation by enabling small and medium-sized enterprises (SMEs) to enter markets that would otherwise be closed off to them by digital gatekeepers. If those gatekeepers are obliged to interoperate with competitors, SMEs can unleash new innovation and directly offer it to the existing user bases of those gatekeepers.

Including the core services in the interoperability provisions would help create digital markets where platforms would compete on the merits of their services. Such enhanced competition would ultimately favour Europe's digital sovereignty, by supporting new market entrants from Europe. In this, we see interoperability as the most important pro-market and pro-innovation policy tool for the DMA to achieve competitive and innovative digital markets.

Article 6(1)

Original text	Suggested Text
(f) allow business users and providers of ancillary services access to and interoperability with the same operating system, hardware or software features that are available or used in the provision by the gatekeeper of any ancillary services;	(f) allow business users, <i>end users</i> and providers of ancillary services access to and interoperability with the same operating system, hardware or software features that are available or used in the provision by the gatekeeper of any ancillary services <i>or industry-standard features of its core platform services</i> ;
Justification	
<p><i>Interoperability requirements should apply to gatekeepers' core platform services as well as their ancillary services, in order to generate competition in these key digital markets, many of which have already tipped towards monopoly or duopoly in many Member States. The requirements should apply to functionality already standard in those core platform services, to retain an incentive for gatekeepers to innovate. Business and end users should benefit from interoperability, so people in the EU as well as businesses gain a genuine choice of tools for instant messaging, social media, and other core platform services, regardless of the choices of their friends, family, and colleagues.</i></p>	