

**From:** Berfin Eken  
**Sent:** Mon, 25 Oct 2021 12:25:44 +0200  
**To:** I Registrator  
**Subject:** VB: Follow-up DSA discussion with Marita - Snapchat  
**Attachments:** Suggested Amendments DSA\_111021.pdf, Snap position on the DSA.pdf  
**Categories:** LF

---

**Från:** Laura Seritti <[lseritti@snapchat.com](mailto:lseritti@snapchat.com)>  
**Skickat:** den 21 oktober 2021 19:15  
**Till:** Berfin Eken <[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)>; Helene Engellau <[helene.engellau@regeringskansliet.se](mailto:helene.engellau@regeringskansliet.se)>  
**Kopia:** Jean Gonie <[jgonie@snap.com](mailto:jgonie@snap.com)>  
**Ämne:** Re: Follow-up DSA discussion with Marita - Snapchat

Dear Berfin and Helene,  
Many thanks again for the good discussion yesterday.

As promised, I enclose our ideas about how this could be achieved with a **few targeted language suggestions** on art. 25, as well as a few other suggestions aimed at (i) better balancing the GDPR and the DSA requirements (art. 17 and 28) and (ii) better protecting challenger's vulnerable business models from risks associated with data access requirements (art. 31).

I also would like to flag the interesting [paper](#) that has been recently published by the think-tank CERRE. By exploring the notion and source of public harm, the paper illustrates **why systemic risk of harm is not necessarily or exclusively a function of size**, thus offering food for thought on additional criteria that might be relevant for the VLOP definition (besides the number of users).

Regarding your question about privacy and safety at Snap, as mentioned yesterday we have put safety-by-design and privacy-by-design programs and philosophy at the core of everything we do. This means that our product design development processes consider the privacy and safety implications of a new feature at the front end of the process - and don't launch it if it doesn't pass our intensive reviews. Should you want to learn more about our approach and practices, you can have a look also at our [privacy centre](#) and [safety centre](#) on our website where we provide additional information and details.

We remain of course available to answer any additional questions you might have.  
We thank you once again for your consideration and look forward to the next opportunity to discuss with you.

Best regards,  
Laura

--

**Laura SERITTI**

Head of Public Policy, Brussels  
mobile: + 32 485 89 19 25  
Snapchat: laura\_seri21  
email: [lseritti@snap.com](mailto:lseritti@snap.com)

On Wed, Oct 13, 2021 at 1:01 AM Laura Seritti <[lseritti@snapchat.com](mailto:lseritti@snapchat.com)> wrote:

Dear Berfin,  
many thanks for your message - that works very well - I will send you an invite with all the details for the call!  
Looking forward to meeting you!  
Best regards  
Laura

--

**Laura SERITTI**  
Head of Public Policy, Brussels  
mobile: + 32 485 89 19 25  
Snapchat: laura\_seri21  
email: [lseritti@snap.com](mailto:lseritti@snap.com)

On Tue, Oct 12, 2021 at 11:53 PM Berfin Eken <[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)> wrote:

Dear Laura,

Sorry for my late reply. Both dates could work for us, how about 13:30 the 20<sup>th</sup>? Would Skype work for you? In that case, I could send you a link for the meeting.

Kind regards,

**Berfin Eken**  
Ministry of Infrastructure  
Mobile. +46 73-625 15 94  
[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)  
[www.regeringen.se](http://www.regeringen.se)



**Regeringskansliet**

---

**Från:** Laura Seritti <[lseritti@snapchat.com](mailto:lseritti@snapchat.com)>

**Skickat:** den 8 oktober 2021 15:15

**Till:** Berfin Eken <[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)>

**Kopia:** Marita Ljunggren <[marita.ljunggren@gov.se](mailto:marita.ljunggren@gov.se)>; Jean Gonie <[jgonie@snap.com](mailto:jgonie@snap.com)>; Helene Engellau <[helene.engellau@regeringskansliet.se](mailto:helene.engellau@regeringskansliet.se)>

**Ämne:** Re: Follow-up DSA discussion with Marita - Snapchat

Dear Berfin,

Many thanks for your kind reply.

Those days unfortunately don't work for me - May I propose the 20th (between 13h-17h) or the 21st (12h-16h)?

I look forward to hearing from you.

Best regards,

Laura

On Fri, Oct 8, 2021 at 5:13 AM Berfin Eken <[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)> wrote:

Hi Laura,

Thank you for your e-mail and for your papers. Next week is a bit difficult for us – but would you be available for a meeting the 18<sup>th</sup> or 19<sup>th</sup> of October?.

Kind regards,

**Berfin Eken**

Ministry of Infrastructure

Mobile. +46 73-625 15 94

[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)

[www.regeringen.se](http://www.regeringen.se)

---

**Från:** Laura Seritti <[lseritti@snapchat.com](mailto:lseritti@snapchat.com)>

**Skickat:** den 7 oktober 2021 11:19

**Till:** Berfin Eken <[berfin.eken@regeringskansliet.se](mailto:berfin.eken@regeringskansliet.se)>

**Kopia:** Marita Ljunggren <[marita.ljunggren@gov.se](mailto:marita.ljunggren@gov.se)>; Jean Gonie <[jgonie@snap.com](mailto:jgonie@snap.com)>

**Ämne:** Follow-up DSA discussion with Marita - Snapchat

Dear Berfin,

My name is Laura and I recently joined Snapchat to look after EU policy and regulatory matters in Brussels.

Yesterday I had the pleasure of meeting Marita and having a good exchange about the DSA. At the end of our discussion, she kindly referred me to you as she thought our ideas would be of interest.

In a nutshell, we believe that the **DSA** should take a **more proportionate and risk-based approach** to identify **VLOPs (art. 25)**. Stringent VLOP obligations exist to address systemic risks for society and consumers. However, the DSA currently identifies VLOPs solely on the basis of a **single and arbitrary** (eg. no explanation in the IA) **quantitative criterion**, ie. the 45 ml users. Such a **low threshold** is easily met by a **large number of medium sized platforms**, from Europe and elsewhere, that don't cause any wide scale harm. User numbers alone do not imply systemic risk. By assuming that beyond a certain number of users all platforms generate the same type and scale of harm, the current approach is likely to create **disproportionate unnecessary burdens** on many **non-problematic platforms** and possibly **jeopardise** their future ability to compete, grow and innovate in the **EU digital single market**.

We therefore propose an approach whereby platforms meeting the user threshold would **qualify as VLOPs only if they can create systemic risk**. This could be assessed by the DSC, as part of the VLOP designation procedure, based on a number of additional qualitative criteria. I enclose our ideas about how this could be achieved with a **few targeted language suggestions** on art. 25.

Please let us know whether you could be available for a follow-up discussion in the incoming weeks. We would greatly appreciate the opportunity to share with you in more detail our ideas and challenger's perspective on the file, as well as to hear your thoughts on this.

We thank you in advance for your kind consideration and look forward to hearing from you.

Best regards  
Laura

--

**Laura SERITTI**  
Head of Public Policy, Brussels  
mobile: + 32 485 89 19 25  
Snapchat: laura\_serit21  
email: [lseritti@snap.com](mailto:lseritti@snap.com)