

From: Berfin Eken
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Från: Inger Skalse <inger.skalse@tv4.se>
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Till: Staffan Lindmark <staffan.lindmark@regeringskansliet.se>
Ämne: VB: maa Joint paper on the DSA

Hälsningar INGER SKALSE Regulatory Affairs Mobil 0703-59 49 56

Från: Inger Skalse
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Till: Linn Berggren <linn.berggren@regeringskansliet.se>
Ämne: maa Joint paper on the DSA

Hej!

Vill framföra att vi ser mycket positivt på Sveriges försvar av en stark yttrandefrihet, med anledning av bifogat "joint non-paper on the DSA".

Dock tycks det oss som att det i uttalandet finns en inkonsekvens som för oss publicister är oroande. Det gäller nedan stycke om användarregler:

"This should not affect the capabilities of the platforms to set out conditions for the use of their services, allowing them to act against content that is in violation of their terms and conditions. Platforms should remain free to do so."

Det bör för den kategori av mellanhänder som definieras som "very large online platforms" inte vara för dem helt fritt att råda över användarregler på grund av dessa plattformars extrema dominans och integrering i stora delar av själva samhällsstrukturen.

Vi föreslår istället:

"Due to the scale of how the category very large online platforms have become ingrained into our very societal structures and due to the nature of their market dominance, there needs to be restrictions to their terms and conditions. Take down or interference with media publisher's content shall be prohibited. Very large online platforms must not set out or use their terms and conditions with the effect of gatekeeping decisions of publication made by sovereign editors-in-chief."

Bidrar även med några konkreta förslag till regleringstexten nedan:

Tillägg och ändring av artikel 1.5:

“This Regulation is without prejudice to the rules laid down by the following;

- a. *National constitutional law*
- b.

Med stöd i Fördraget om den Europeiska unionen, artikel 4.2 om att EU ska respektera medlemsstaternas ”nationella identitet, som kommer till uttryck i deras politiska och konstitutionella grundstrukturer, inbegripet det lokala och regionala självstyret”.

2. The Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.

Vi stöder även det förslag som lagts fram angående en 1.6:

“This Regulation shall apply without prejudice to the rules laid down in Article 6 TEU and Charter of Fundamental Rights of the European Union, and fundamental principles relating to freedom of expression, freedom of the press and the freedom and pluralism of the media.”

Tillägg till artikel 12:

The category very large online platforms may not take down or interference with editorially vetted content. Very large online platforms must not construct or use their terms and conditions with the effect of overruling decisions of publication made by sovereign editors-in-chief”

Ändring av artikel 37.

“The Commission shall ~~aim to~~ ensure that the crisis protocols set out clearly all of the following:

- a. *safeguards to ~~address any negative effects on~~ the exercise of the fundamental rights enshrined in the Charter, in particular the freedom of expression and information and the right to non-discrimination;”*

Hälsningar

Inger Skalse
Regulatory Affairs

Mobil: +46 703 59 49 56
Växel: +46 8 459 40 00

Besöksadress: Tegeluddsvägen 3-5, Stockholm
Postadress: 115 79 Stockholm
www.tv4.se | www.cmore.se

