

DSA: ACT WELCOMES POLITICAL AGREEMENT ON THE DIGITAL SERVICES ACT

BRUSSELS, 23 APRIL 2022. The Association of Commercial Television and Video on Demand Services in Europe (ACT) welcomes the provisional political agreement on the Digital Services Act (DSA). ACT supports the aims of the DSA, notably its guiding mantra that what is illegal offline should be illegal online. The DSA marks a further step in the essential and long process towards framing the digital space to ensure a diverse and secure media landscape.

We congratulate the co-legislators for finalising negotiations in record time. Commercial broadcasters welcome the text, particularly on the flexibility shown on aspects related to notice and action procedures, the definition of trusted flaggers, the introduction of VPNs in the Regulation, and important measures to tackle harmful content and disinformation online such as risk assessments, crisis protocols and algorithmic transparency. We remain optimistic that the co-legislators have shown equal ambition when it comes to the responsibility and accountability of search engines and their obligation to keep the online environment safe.

The absence of the Know Your Business Customer (KYBC) principle applicable to all online intermediaries remains a missed opportunity. Introducing a KYBC principle and several other elements remain of utmost importance in the immediate future, such as:

- ensuring that illegal offers of live/time sensitive content are taken down immediately;
- capturing the right players with meaningful due diligence obligations;
- ensuring that the supervision of VLOPs recommendation and moderation algorithms is undertaken by the Digital Services Coordinators to address pro illegal or harmful content.

We will remain vigilant to ensure that the forthcoming implementation of the DSA lives up to its promise of supporting a liability regime that is fit for the digital age. Europe needs to secure a robust, responsible, and reliable online environment to support a pluralistic European media landscape.

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ACT member companies finance, produce, promote and distribute content and services benefiting millions of Europeans across all platforms. At ACT we believe that the healthy and sustainable commercial broadcasting & VoD sector has an important role to play in Europe's economy, society and cultures. Commercial broadcasters and VoD operators are at the heart of Europe's media landscape as producers and distributors of European original content and news. We embrace the digital environment providing new services, formats and content to meet the growing European demand for quality content on various distribution models.