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Press Release

## **ERGA adopts its first contribution to upcoming debates about the Digital Services Act**

### ***Media regulators see great opportunities in deepening EU-wide cooperation for online content regulation***

Members of the European Regulators Group for Audiovisual Media Services (ERGA) see confident and solution-oriented cooperation as key to effective EU-wide media regulation. This is one of the results of the 13<sup>th</sup> Plenary meeting of ERGA, which took place as a virtual conference on 4<sup>th</sup> June 2020. At the centre of the semi-annual meeting was, among others, a first discussion on the future of European media regulation in the context of the debate around the Digital Services Act-package.

Members of ERGA have adopted a common Position Paper on the Digital Services Act-package (DSA-Package), which was published today ([link](#)). The aim of the paper is to formulate first common positions of the EU media regulators in the ongoing debate about the DSA-package. A particular focus is on the role of media regulators in a possible future enforcement framework. In this paper, ERGA identifies, inter alia, three concrete opportunities for fostering effective online content regulation that arise under the DSA-package umbrella:

**ERGA members advocate for a strengthened system of EU-wide cooperation among media regulators to address cross-border issues in online content regulation.** ERGA members have extensive experience in regulatory practice and in applying content regulation principles on a national level. They firmly believe that there is potential to improve European cross-border cooperation in a renewed regulatory framework for digital services. Strengthening cooperation in cross-border cases is also one of ERGA's strategic objectives for the period 2020-2023. In this vein, ERGA is currently working on a Memorandum of Understanding that demonstrates ERGA Members' will to take common action within the boundaries of the current framework.

**ERGA recommends adaptations to the liability regime for online platforms** by building-in safety features to the design and operation of online platforms. The definitions provided for in the e-commerce Directive need to be updated to reflect the actual, no longer 'passive' role that many services play in relation to the content that they host. In addition, effective mechanisms of accountability of platforms would need to be based in law, in order to uphold European values.

**ERGA recognises the importance of the Country of Origin Principle.** Its members therefore suggest examining how to establish a greater degree of close and effective cooperation between all Member States in cross-border cases. This aims to ensure the best possible protection for their citizens in the online environment.

"As European citizens, we expect the online world to reflect our joint democratic values. As European media regulators, it is our duty to safeguard these democratic values and secure justice. However, often enough we struggle to fully live up to these expectations. Therefore, we highly welcome the European Commission's Digital Services Act initiative. It is a great step towards timely and adequate online regulation for platforms" comments Dr Tobias Schmid, Commissioner for European Affairs of the German Media Authorities and Chairman of ERGA in 2020, the initiative.

Constructive international cooperation, the definition of clear terms and responsibilities as well as the recognition of cultural diversity are also the guiding principles of ERGA's work on disinformation, findability of audiovisual content and on the impact of the current pandemic on the future of media within the EU.

*About ERGA:*

*The European Regulators Group for Audiovisual Media Services brings together heads or high-level representatives of national independent regulatory bodies in the field of audiovisual services. Thereby, ERGA advises and assists the European Commission in its work, to ensure a consistent implementation of the AVMSD as well as in any other matters related to audiovisual media services within the Commission's competence. In addition, ERGA aims to facilitate cooperation between the regulatory bodies in the EU by fostering the exchange of information, experience and good practices.*

*Dr Tobias Schmid, Commissioner for European Affairs of the German Media Authorities, is the Chairman of ERGA in 2020.*