

Videoconference between the Cabinet of EVP Vestager and [REDACTED] (Google)
10 March 2022

Participants: Werner STENGG, [REDACTED], Penelope PAPANDROPOULOS (Cabinet of EVP Vestager), [REDACTED] (Google/Alphabet)

The meeting was initiated by Google/Alphabet to prepare the upcoming meeting between EVP Vestager and Google [REDACTED].

Google/Alphabet and CAB Vestager discussed the possible agenda for the upcoming meeting between EVP Vestager and Google [REDACTED], which should focus on the Digital Services Act and the Digital Markets Act with possible other topics such as debriefing on Google/Alphabet's efforts against disinformation related to the Russia-Ukraine war.

Google/Alphabet explained that the majority of their commercial operations are shut down in Russia, but Youtube is kept up for the time being. Google/Alphabet also provide humanitarian relief and protection against cyberattacks to Ukrainian government and NGOs (DDoS protection software). Google/Alphabet aim to promote high quality information on the war.

As regards the Digital Services Act, Google/Alphabet explained that the proposal of the European Parliament to extend algorithmic transparency could result in enabling bad-faith actors to game the algorithms and ultimately jeopardise promotion of high quality information. Google/Alphabet also inquired about the organisational aspects of the enforcement. Google/Alphabet raised concerns about the obligation proposed by the Parliament to share data on algorithms with any non-profit organisation, as bad-faith actors could abuse it. Google/Alphabet expressed concerns that liability for advertised goods as proposed by the Parliament would create strong disincentives against publishing ads from small companies. Google/Alphabet suggested such liability is limited for marketplaces and mentioned that offline actors such as newspapers do not have such liability.

As regards the Digital Markets Act, Google/Alphabet explained that it is important to avoid overlaps or conflicts in consent obligations required by the DMA and the GDPR. Google/Alphabet expressed agreement with the provisions requiring interoperability of communication services, but emphasised that there should be no loophole provided for any major market player. Google/Alphabet called for close involvement in preparing for the implementation of the adopted legislation.

Members of the EVP Cabinet took good note of these points, referring to the fact that negotiations were still ongoing.

[REDACTED]