

BTO - Meeting between ITI and CAB Breton

02/02/2021

Participants ITI (Information Technology Industry Council)

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Participants European Commission

Filomena Chirico, Member of Cabinet

[REDACTED] CNECT.G1 - note-taker

DMA/DSA

ITI represents 75 international tech companies, including European ones. They emphasised that due to scalability, EU-based large global corporations cannot succeed without access to global markets.

They are concerned about localisations and closed internet, applied by certain countries. They support openness. Regarding the DMA, it has been suggested that COM should focus on companies' conduct instead of their size when regulating them, they have some concerns about the current rules of the proposal. Concerning the DSA, ITI underlined the need to differentiate between illegal and harmful content and that focus needs to be on the generator of such content. They stated that now we have a unique opportunity to focus on the EU-USA relations under the new Biden administration.

The Commission agreed on the importance of openness and the need for cooperation, which should be based on the dissolutions of misconceptions and misunderstandings that sometimes are associated with the digital initiatives. It is of utmost importance to rebuild the transatlantic relationship. The DMA provides for a different treatment for big companies, as their wider reach constitutes the link between size and conduct. The proposal aims is to prohibit conduct that leaves no choice for the competitors. The DSA does not aim to regulate harmful content, it only sets up the framework. The person disseminating such content remains responsible, but the medium should not generate profit off of it through e.g. advertising. The objective is not to ban or exclude any actor.

Data Governance Act

ITI appreciates the goal to make more data available, they want to ensure consistency with current legislation, and that no measures are put in place to hinder data flows under the concept of data/ technological sovereignty. The mechanisms around data transfers under the Data Governance Act proposal should apply in an easy and practical manner, the duplication of the adequacy regime would be problematic and cause administrative burden and delay. They support the replacement of the privacy shield.

The Commission explained that technological sovereignty does not mean isolation, but resilience and the ability to offer choices. The logic of the DGA is not to block data flows, but to have the protection to travel with the data, when it comes to the transfer of protected publicly held data. The

mechanism provided for in the proposal would ensure that, based on the data re-users commitments, the flow of such data would remain unhindered, while adequacy-like decisions could be adopted to streamline the procedure where it would be necessary due to the large volume of such data transfers.

