

PRESS RELEASE

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The Publishers' Right needs to be respected by Mega-platforms - European press publishers ask for further rules in the DMA to restore fairness in the online ecosystem

In the context of the current implementation of the press publishers' right across Europe and its application in France, EMMA and ENPA would like to stress the necessity to ensure a swift and effective implementation of article 15 of Directive 2019/790 granting a right to press publishers for all publications.

ENPA President, Jean-Pierre de Kerraoul says: "Any aggressive offer by inescapable, dominant players dictating wide-ranging licensing agreements to press publishers is in contradiction with the application of the publishers' right."

The publishers' right applies to the whole press ecosystem and concerns all newspaper and magazines. Selective agreement to some titles leaving the rest of the ecosystem behind is not in line with EU law.

EMMA President, Xavier Bouckaert adds: "With the upcoming Digital Market Act, we need real, non-discriminatory access for all legal publications, including in the ranking and presentation of content. It must also ensure that the search monopoly can no longer deny paying or impose unfair conditions for the use of the publisher's right. Making a royalty-free license a condition to access the monopoly-platform is one typical disproportionate term and condition that must be banned."

EMMA and ENPA are looking into the Australian arbitration model by the Australian Consumer and Competition Authority (ACCC) which strengthens publishers' negotiating position and presents some convincing advantages: if the platforms have not agreed on a deal with publishers after three months of negotiation, an arbitrator can impose a binding price. In addition, any form of discrimination based on the ranking is prohibited. Such a model could be included in the DMA, provided that it applies to all press publishers, magazine and newspapers.

For further information, please contact:

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EMMA, the European Magazine Media Association, is the unique and complete representation of Europe's magazine media, which is today enjoyed by millions of consumers on various platforms, encompassing both paper and digital formats. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital. See: www.magazinemedia.eu/

ENPA, the European Newspaper Publishers' Association is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European countries, and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union. See: www.enpa.eu/