

The EU Needs a DMA that Increases, not Decreases, Our Resilience Against Cyberthreats and Disinfo!

Roland Freudenstein

21 March 2022

On 24 March, the Trilogue between the EU Council, the Commission and the Parliament will take its final decision on the Digital Markets Act (DMA): The European Union's effort to regulate the market that all of us have become so accustomed to using in our everyday lives and keep the market fair and open.

Russia's attack on Ukraine, which really is a frontal attack on Europe and its values, has been preceded and accompanied by increasing cyberattacks. Like disinformation and economic coercion, cyberattacks are now part and parcel of the arsenal of authoritarian warfare against the world's democracies. We need to take account of that in our digital legislation. While the DMA's insistence on privacy and data security is absolutely valid, it should not become self-defeating in view of the mounting cybersecurity threats. Here are four fields in which the [draft](#) on the table should be changed if platforms are to be able to uphold our resilience:

- ▶ **Detecting and stopping cyberthreats.** To fight cyberthreats from Russia and Belarus, platforms should also in future be able to detect malicious third-party activity. It doesn't make sense to prohibit combining personal data from core platform services with those of other services offered by gatekeepers.
- ▶ **Protecting data from Russian authorities.** Platforms do attempt to prevent inadvertent disclosure of user data to Russian entities and authorities. If platforms under the DMA were to be forced to provide foreign rivals, such as Yandex or VKontakte from Russia, with data of Ukrainian or other non-Russian users, one can imagine the consequences.
- ▶ **Fighting Russian state content.** Platforms have taken strong actions to demonetize and block media content and applications produced by the Russian state and its affiliates. This could be jeopardized under a DMA which prohibits "unfair" or "discriminatory" ranking conditions, or "unfair" or "discriminatory" limitations on access to app stores.
- ▶ **Promoting authoritative news content.** Platforms should be able to use ranking systems to give greater prominence to authoritative sources of news about Russia and Ukraine. And yet, according to the DMA draft, such decisions could be challenged as "unfair" or "discriminatory".

The participants of the Trilogue should take these points into account. The EU really cannot afford to make it easier for Russia to attack us with cyberattacks and disinformation. A digital market which allows that to happen, cannot be called free and fair.