

Press release

OPEN INTERNET

Vocal assistants and app stores incorporated into Europe's Platform-to-Business regulation: Arcep welcomes this first milestone, in tune with its proposals

Paris, 22 February 2019

In February 2018, Arcep published a report titled ["Smartphones, tablets, voice assistants: are devices the weak link in achieving an open internet?"](#). It was a call to action for public authorities: devices provide users with only limited access to the internet, especially when they are linked to platforms, and their environments impose restrictions and impediments on content and application developers.

The purpose of Europe's Platform-to-Business fair trading regulation is to provide transparency, predictability and fairness to companies that depend on online platforms and search engines. Some practices may be opaque, as a result of which app developers can find their products deprived of a distribution policy following an app store's change in editorial policy, and service providers can, overnight, find their products no longer usable on smart speakers.

Agreement on the Platform-to-Business regulation: a major milestone in open devices, a concrete expression of Arcep's proposals

Arcep welcomes the provisional agreement that was reached on 14 February on this European Platform-to-Business regulation, in which French authorities, and particularly the Directorate-General for Enterprise, were stakeholders. App stores are a central focus in the regulation's enforcement, along with voice assistants which are now an integral part of online search engines. On the matter of operating systems, Arcep is pleased to note that they are mentioned as technical means that online platforms can use to promote their own services.

The Platform-to-Business regulation is a first step towards achieving Arcep's proposals, particularly in its call for greater transparency from online platforms on their general terms and conditions of use. These new obligations also echo the data-driven regulation approach initiated by Arcep: collecting and disseminating information on the sector's practices, to steer the market in the right direction.

The regulation also provides for the implementation of a European Observatory for monitoring its enforcement. This market monitoring is in line with what the Body of European Regulators for Electronic Communications (BEREC) recommended in its report on the impact that content and devices have on electronic communication markets, published in 2018.

Arcep calls for further action to guarantee open devices

The Platform-to-Business regulation does not yet make it possible to guarantee that devices are neutral. Here, Arcep's report on open devices included [11 concrete proposals to ensure an open internet and users' freedom of choice](#).

It nevertheless represents a real step forward in terms of transparency and the oversight of players that have a decisive influence on the freedom to innovate and users' freedom of choice. It also helps add the topic of open devices to the order of the day, making it easier to detect limitations or impediments to accessing an open internet.

Arcep will keep a close eye on the follow-up to the regulation which, wisely, also plans on delivering a scorecard on its impact in the near future, which will make it possible to draw conclusions and design an agile, flexible framework adapted to the tech sector's fast-changing environment.

Associated documents:

- [Find out more on the European Commission's website](#)
- [The Arcep report "Smartphones, tablets, voice assistants: are devices the weak link in achieving an open internet?"](#)
- [Arcep's proposals](#)

Arcep at a glance

The Electronic Communications and Postal Regulatory Authority (ARCEP), a neutral and expert arbitrator with the status of independent administrative authority, is the architect and guardian of internet, fixed and mobile telecoms and postal networks in France.

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