

From: Lucas Lasota contact@fsfe.org
Subject: "DMA's interoperability violates fundamental rights", claims Apple
Date: 14. December 2024 at 11:44
To: Dr. Joachim Gruber jochen.gruber@acamedia.info

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Hello Dr. Joachim Gruber,

Interoperability – a key enabler of software freedom – is under serious threat in the EU. Apple, a trillion-dollar company, has initiated a legal battle against the European Commission to prevent third-party software developers from accessing essential software and hardware functions of Apple devices.

We disagree. Interoperability should not be discretionarily controlled by companies like Apple. That's why the Free Software Foundation Europe (FSFE) is taking action, being the only civil society organisation intervening in this case to defend interoperability and software freedom.

The Digital Markets Act (DMA) imposes anti-monopoly obligations on very large companies (named "gatekeepers" in the law), forcing companies like Apple to allow interoperability and granting access seekers (app stores, browsers, payment systems, etc.) free-of-charge access to its APIs. The law mandates the same level of interconnection enjoyed by Apple to third-party software developers, and this is precisely what Apple is trying to avoid. They claim – hold your breath – that interoperability in the DMA violates fundamental rights.

In contrast, the FSFE argues that interoperability is a cornerstone of public interest in digital markets: interoperability ensures that users and developers have the freedom to choose and create solutions that best meet their needs, rather than being locked into a single environment controlled by a dominant market player. Without effective interoperability, Free Software solutions cannot compete with Apple's services, as they are denied access to essential functions on Apple devices, leading to degraded performance and functionality.

The FSFE is standing up for a future where technology serves everyone, fostering fairness, freedom, and public benefit. But we cannot do this alone. Legal struggles like this can take several years and require resources, expertise, persistence, and courage. To succeed, we need a strong base of FSFE supporters for our work today and for the coming years.

Join us in defending software freedom against monopolistic control: Become an FSFE supporter today! Starting from 0.33€ per day you can make a huge difference for our future!

<https://my.fsfe.org/payonline/FC17276543P3>

Kind regards,

Lucas Lasota
Legal Programme Manager

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