

EUROPEAN BROADCASTING ASSOCIATIONS' STATEMENT ON CONNECTED TVs & VIRTUAL ASSISTANTS - MARCH 23 2026

Dear Executive Vice-President Ribera,

As the European Commission prepares for the upcoming review of the Digital Markets Act (DMA), the undersigned organisations wish to reiterate their request to **designate relevant connected TV operating systems and virtual assistant** platform operators as gatekeepers to better reflect their increasingly significant role as well as evolving market realities.

To date, these categories of services have received limited regulatory attention. However, in its summary of responses to the 2025 DMA consultation, the Commission acknowledged that respondents called for *“the designation of more services such as operating systems for connected TVs, virtual assistants and further messaging services”*.

Connected TV (CTVs) Operating Systems (OS)

The EU connected TV operating system market is becoming more concentrated around large ecosystem platforms. From 2019 to 2024:

- Android TV increased its market share from 16% to 23%
- Amazon Fire OS rose from 5% to 12%, driven by a dual model combining proprietary devices and licensing to third-party TV manufacturers
- Samsung's Tizen OS maintained a 24% market share¹

A limited number of operators are therefore gaining growing ability to shape outcomes for millions of users and businesses by controlling access to audiences and content distribution.

With the future viability of many European TV broadcasters at stake, and with millions of EU businesses and consumers relying on CTVs to promote and access an expanding range of content via TV applications, it is crucial that the Commission designate major TV operating systems as gatekeepers and ensure adequate oversight to guarantee fairness and contestability. While CTVs can offer significant opportunities for European businesses to develop and compete—not only in audiovisual content, but also in gaming, health and other applications—these opportunities risk being undermined by entrenched gatekeeping practices.

CTVs assume a central intermediary role between media providers and end-users and can therefore exercise significant influence over the discoverability, accessibility and use of media services. CTV OS providers may have incentives to retain end-users within their own ecosystem and to contractually or technically restrict linking or redirection, e.g. from one media application to another media application. Such restrictions may adversely affect the distribution models of media providers, hinder customary forms of cooperation within the sector — in particular recommendations by aggregating media platforms — and limit functional interoperability between media services.

¹ For more information see Keystone report on *‘Connected TV platforms: Android TV OS quantitative designation submission under the Digital Markets Act’* prepared for MFE-MEDIAFOREUROPE N.V. and published on 18 March 2025

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The definition of a Core Platform Service should not depend on the device through which a service is provided. Recital 14 of the DMA explicitly clarifies that CPSs may be offered on or through various devices, including CTVs and embedded digital services. A fragmented, device-based approach to operating systems risks inconsistent application of Articles 5 and 6, allowing gatekeepers to maintain harmful practices on certain devices and thereby undermining effective enforcement of the DMA.

Virtual assistants (VAs)

Another category of services that exercises gatekeeping power in the media sector are Virtual Assistants. Although listed as a category of core platform services in the DMA, none have been designated to this date.

The deployment of virtual assistants is a rapidly developing phenomenon, increasingly so with the integration of generative AI systems in the form of chatbots and AI agents. These developments mean that virtual assistants are constantly evolving, taking on new functions that might not have been fully anticipated when the DMA was drafted. The lack of designation of virtual assistants creates a regulatory void, allowing powerful AI assistants to become de facto gatekeepers for media content through mobile phones, smart speakers and in-car radio infotainment services, without being subject to DMA obligations. This is due to a restrictive definition of quantitative thresholds and an underestimation of virtual assistants' scale.

The DMA considers that business users of virtual assistant services can only qualify as such if they have developed a virtual assistant software application (or functionality). This significantly limits the business users base in the meaning of the DMA. It also gives virtual assistant providers – who control the terms and methods of interoperability with their platforms – the power to unilaterally alter whether a business user is covered by the DMA, even if the underlying commercial relationship remains unchanged.

Our call

The DMA must remain forward-looking and sufficiently responsive to emerging risks. Experience in adjacent platform markets shows that once gatekeepers and harmful practices become entrenched, restoring competition and consumer choice proves extremely difficult. Where users become accustomed to a closed or biased presentation of services, reversing those effects is challenging. The Commission therefore has a unique opportunity to act in this sector before such entrenchment occurs.

We call on the European Commission to:

- **Designate major connected TV OS and virtual assistant providers** as gatekeepers.
- If allegedly none of them meet the quantitative thresholds, to **open a market investigation** on the basis of the **qualitative thresholds** (Article 3(8)).
- **Review the definition of "business users"** for the purpose of designating VAs as gatekeepers, in the context of the ongoing review of the DMA. The definition must be interpreted broadly, applied in a technology-neutral manner, and encompass all entities that significantly rely on the VAs platform to reach end users.

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We stand ready to support the Commission's work with data, insights and technical expertise, and would welcome the opportunity to meet to discuss next steps.

Yours sincerely,



Signatories (in alphabetical order)

1. Association of Commercial Television and Video on Demand Services in Europe (ACT)
2. Association of European Radios (AER)
3. Asociace komerčních televizí (AKTV)
4. Slovak Television Broadcasters' Association (ATVS)
5. Asociația Română de Comunicații Audiovizuale (ARCA)
6. Confindustria Radio Televisioni (CRTV)
7. European Broadcasting Union (EBU)
8. European association of television and radio sales houses (egta)
9. Televisión Comercial en Abierto (UTECA)
10. Verband Privater Medien (VAUNET)
11. Verband Österreichischer Privatsender (VOP)