Platform loyalty

The concept of "Neutrality of the platforms", or "Loyalty of the platforms", emerged among editors and web hosts that suffer or question the commanding position of major players of the Web, particularly in the USA and in other English speaking countries.

These notions of "loyalty" and "neutrality" of the platforms may have been used to divert MPs from the debate on Net Neutrality.

Platform loyalty should be envisaged in an environment where questions of the user's control of its digital terminals (computer, tablet, mobile phone, other connected objects such as the ones referred to when talking about the "quantified self", etc.), monopoly positions of some companies, problematics of tax system and revenue sharing are more and more intricate.

The technical intermediaries' neutrality (or loyalty) is not entwined with the notion of platform, which is itself very poorly defined and covers several different models of actual realisations and not a defined usage in the digital world. The role played by any given "platform" (as Facebook) can be achieved through other means (such as Diaspora*) which no one refers to as a "platform".

It is therefore important not to debate the loyalty of "platforms" in general but their obligations, attached to functional roles and regardless of their mode of organization (centralized or acentric).

Acknowledgement of the role of the "curator"

One of these functional roles is that of the curator, inbetween that of the publisher which selects data and that of the web host who stores raw data, without any intervention on content.

The notion of plaform such as considered by the French National Digital Council (FR) always

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includes a web host and a "displayer". For example, Google stores links and chooses their display sequence using Google search.

Defining the notion of platform

Keeping in mind our definition of curator, the notion of platform can refer to "the operating environment of an application, a curator or a tool".

The notion of platform also includes equipments (operating system and MarketPlace) or some web sites (Facebook aggregates third party applications, Gogle Apps aggregates third party applicaitons with its own applications, etc.). The fact that the execution of these applications takes place in a web site (ie. Facebook), via an operating system (ie. smartphones, tablets) or on a personal client server (ie. CozyCloud) is an implementation detail.

Defining the loyalty of the curator / of the platform

The duty of loyalty entwined to the role of curator should include a few key points:

- transparency vis-à-vis the end user regarding what the platform does (selection criteria, sequence criteria, etc.);
- allowing the user to control the activity of the curator (modification of choices);
- guarantee that the user can adopt another curator's service (in the case of platforms, this implies data portability from one platform to another).

Regarding a duty of loyalty associated with platforms, key garantees should be the following:

- the user chooses the applications he uses, none of them can be mandatory;
- the user can decide to install an application that is not certified by the platform (at his own risk)
- the user can choose a different source of certified applications than the one provided by the platform;
- the user can produce and use his own application, and distribute it either throughout

applications certified by the platform, either by his own means (thus becoming a new source of applications);

- computer systems should be able to work with other systems and platforms that is to say, be interoperable.

    Interoperability of systems consists on guaranteeing that the exchange of information regardless of the software used, avoiding access restrictions to information.

Other criteria resemble more to competition laws obligations (for instance, the prohibition to favor one's own services) and considerably depend on the degree of monopoly of the platform in its market and on its possibly anticompetitive practices.