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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Enforcement of the Digital Services Act on online platforms and e-commerce
	- Exchange of views

In view of the TTE (TELECOM) Council on 5 December 2025, delegations will find in the Annex the Presidency background note on the enforcement of the Digital Services Act on online platforms and e-commerce.

DISCUSSION PAPER**Enforcement of the Digital Services Act on online platforms
and e-commerce**

Meeting of the Telecommunications Council

Brussels, 5 December 2025

In recent years, the rapid expansion of online platforms and cross-border e-commerce has significantly reshaped the functioning of the Single Market. Online marketplaces now constitute a primary access point for consumers, including minors, while an increasing share of goods is supplied by traders established outside the European Union. This evolution has created new economic opportunities, but has simultaneously exposed persistent regulatory and enforcement challenges.

Recent incidents have brought these challenges into sharp focus. In several Member States, authorities have identified the availability of child sexual abuse material, category A weapons and prescription-only medicinal products on Shein without effective access restrictions. There have been reports of comparable findings on other third-country platforms active in the single market. Such cases may point to substantial shortcomings in the management of systemic risks and may indicate that certain platforms are not ensuring compliance with core requirements of EU law. Given the inherently cross-border nature of e-commerce and the rapid dissemination of illegal content and unsafe products across the EU, a coordinated European response is called for.

The Digital Services Act (DSA) sets out comprehensive obligations for very large online platforms, covering risk assessments, mitigation measures and vetting of traders. It is a horizontal regulatory tool to ensure that very large online platforms live up to their responsibilities. Yet, recent cases suggest that enforcement across the relevant regulatory areas remains insufficiently integrated. Authorities responsible for DSA supervision, product safety, market surveillance, consumer protection and customs frequently operate along separate lines, while the platforms concerned cut across all these domains.

The Commission's E-commerce communication of February 2025 emphasised the need for holistic enforcement. The latest incidents further underline the importance of strengthening coordination between the European Board for Digital Services, the Consumer Protection Cooperation (CPC) network, the European Product Compliance Network (EUPCN), customs authorities and other operational partners. A more coherent and interoperable framework is necessary to ensure timely and effective action, safeguard consumers, particularly minors, and uphold a level playing field in the Single Market.

Against this background, Member States are invited to reflect on how existing EU instruments and frameworks, can be leveraged more effectively to ensure effective collective enforcement.

Guiding questions for discussion:

- *Do you share the concerns regarding third-country e-commerce platforms operating within the EU single market?*
 - *How can Member States and the Commission ensure better coordination across DSA supervision, product safety, market surveillance, customs and consumer protection in order to ensure a coherent and effective EU response to the challenges posed by e-commerce platforms?*
 - *In light of the recurring challenges on e-commerce platforms, is there a need to reassess the liability exemption for third-country platform providers and make them more responsible for the goods sold on their platforms?*
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