

Brussels, 30 April 2026
(OR. en)

8778/26

RC 8
MI 417
COMPET 507
TELECOM 203
IA 109

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	28 April 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2026) 178 final
Subject:	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE on the Review of Regulation (EU) 2022/1925 of the European Parliament and of the Council on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), in accordance with Article 53 thereof

Delegations will find attached document COM(2026) 178 final.

Encl.: COM(2026) 178 final



Brussels, 28.4.2026
COM(2026) 178 final

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE
COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE**

**on the Review of Regulation (EU) 2022/1925 of the European Parliament and of the
Council on contestable and fair markets in the digital sector and amending Directives
(EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), in accordance with Article 53
thereof**

{SWD(2026) 123 final}

1. INTRODUCTION

The European Union's (EU) **digital single market** is one of the most attractive and lucrative markets in the world for major digital platform operators.

As part of the digital single market, the **digital platform sector** is a significant driver of the EU economy, generating hundreds of billions of euro in annual revenue and shaping the daily economic and social interactions of citizens and businesses across the EU. Europeans are highly engaged in the digital economy¹. Furthermore, a significant number of businesses rely on online marketplaces and app stores to reach customers, while many small and medium-sized enterprises (SMEs) depend on digital platforms as an essential gateway for reaching end users.

Large digital platforms benefit significantly from the EU's digital single market, deriving a substantial share of their global revenue from their activities within the EU. At the same time, large platform operators, as gatekeepers, are able to shape the conditions under which others access digital products and services, with implications for fairness and contestability.

The **Digital Markets Act**² (the 'DMA' or 'Regulation (EU) 2022/1925') is one of the first regulatory tools in the world to counter unfair practices by the largest digital platform operators by establishing a targeted set of harmonised rules applicable to digital platforms with gatekeeper position. The purpose of the DMA is to contribute to the proper functioning of the internal market by ensuring contestability and fairness in digital markets in general, and, in particular, for end users and business users, including SMEs, of core platform services provided by gatekeepers.

The **purpose of this report** is to present the findings of the first review of the DMA by the European Commission (the 'Commission') to the European Parliament, the Council, and the European Economic and Social Committee.

As required by **Article 53 DMA**, this report assesses: (1) whether the aims of the DMA of ensuring contestable and fair markets have been achieved; (2) the DMA's impact on business users (especially SMEs) and end users; (3) whether the DMA needs to be modified, including regarding (i) the list of core platform services laid down in Article 2(2) DMA, (ii) the obligations laid down in Articles 5, 6 and 7 DMA and (iii) their enforcement; and (4) whether the scope of Article 7 DMA on interoperability of messenger services should be extended to online social networking services.

¹ Almost two-thirds of young people aged 16-24 actively use generative AI tools. In 2025, approximately 72% of individuals in the EU used the internet to find information about goods and services, while almost 4 out of 5 individuals bought or ordered goods and services online during the 10 months preceding the study. Moreover, nearly 64% of EU enterprises used social media as part of their operations, while 67% of individuals participated in social networks, illustrating the growing interdependence between businesses and consumers on the one hand, and digital intermediaries on the other. A significant share of enterprises rely on online marketplaces and app stores to reach customers, and a substantial proportion of small and medium-sized enterprises (SMEs) depend on digital platforms as essential gateways to reach end users. (See: Eurostat, Digital economy and society statistics - households and individuals; Eurostat, E-commerce statistics for individuals; Eurostat, Digital economy and society statistics - enterprises, available [here: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Category:Digital_economy_and_society](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Category:Digital_economy_and_society)).

² Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) OJ L 265, 12.10.2022, p. 1.

The Commission's **assessment** is **based** on a combination of **qualitative and quantitative evidence**, including information obtained through designation and compliance procedures, regulatory dialogues with gatekeepers and third parties, compliance reports submitted by gatekeepers under Regulation (EU) 2022/1925, internal monitoring activities, stakeholder workshops, and structured engagement with Member States and other regulators. The assessment also takes into account contributions to the consultation exercise that the Commission conducted as part of the review process (a targeted public consultation, a public questionnaire seeking specific feedback in relation to the artificial intelligence (AI) sector, and a call for evidence)³.

The DMA entered into force on 1 November 2022 and became applicable as of 2 May 2023. Subsequently, on 5 September 2023, the Commission designated the first set of gatekeepers under the DMA. However, as gatekeepers have six months from the date of designation to comply with the substantive obligations under Articles 5, 6, and 7 DMA, most changes in the behaviour of gatekeepers were only visible as of March 2024. Accordingly, the assessment period covered by this report is in practice **limited to only two years**.

The Commission found in its **assessment** that the DMA had thus far effectively contributed to **the core objective** of making digital markets in the EU fairer and more contestable, achieving a tangible positive impact within just over two years of the DMA becoming fully applicable to designated gatekeepers. However, in this report the Commission also describes some implementation and enforcement challenges that slowed progress towards achieving the DMA's objectives.

Overall, this report finds that two years on since the entry into application of the DMA, the DMA remains fit for purpose and does not need to be revised. This report also identifies areas which require particular focus going forward such as how the DMA applies to AI and cloud computing services. In addition, the report concludes that while the implementation of the DMA is moving in the right direction, there is a **need for rigorous supervision, continued regulatory dialogue in combination with guidance from the Commission and, where necessary, a need for enforcement** actions.

Work towards ensuring full compliance with the DMA should be accompanied by increased efforts to **raise awareness** among beneficiaries, especially in the **start-up and SMEs communities**, to encourage them to seize **new business opportunities** created by the DMA. Such awareness-raising is equally important among **consumers who, thanks to the DMA, are benefitting from new, innovative services** and can exercise their choice in relation to digital services more freely. In this context, as part of its monitoring of gatekeepers' compliance measures, the Commission will place even stronger emphasis on **simplifying** the steps potential beneficiaries have to take to benefit from the opportunities opened by the DMA. The Commission will also continue to engage with gatekeepers and third parties with a view to streamlining and simplifying regulatory dialogue while ensuring effective compliance. The Commission is aware that compliance generates costs for gatekeepers and will continue to be mindful of these costs when discussing compliance solutions with them. In the context of the wider objective of simplifying the EU's digital rules and potentially 'stress-testing' the EU's digital *acquis* (Digital Fitness Check), the Commission will also analyse the interplay between the different digital rules, including the DMA if relevant.

³ Consultation on the first review of the Digital Markets Act, available at https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en.

Finally, this report also states that efforts will be made to further increase transparency and improve procedures, and to continue assessing the impact of the DMA as it becomes more visible over time.

The accompanying Staff Working Document contains more detailed evidence and analysis to support these findings.

2. OBJECTIVES OF THE DMA

At the time of the Commission's DMA proposal in December 2020, there was **consensus** both within the EU and among international partners that digital markets were characterised by a lack of contestability. As a result, a small number of very large platforms were able to restrict competition including by imposing unfair conditions both on their business users and on end users⁴.

Earlier in 2020, the European **Parliament** and the **Council of the European Union** had encouraged the Commission to explore the potential for *ex ante* regulation in digital markets⁵. The Commission had also established an observatory supported by an expert group, whose conclusions confirmed the need for a new *ex ante* regulatory tool to complement traditional competition law⁶. Moreover, the DMA proposal formed part of the Commission's broader digital strategy as set out in its 2020 Communication 'Shaping Europe's digital future'⁷ and was presented as part of a legislative package together with the Digital Services Act⁸.

At the time of the DMA proposal and shortly thereafter, some of the EU's **major trading partners**, including Australia, Brazil, China, Japan, the United Kingdom and the United States were beginning to consider solutions similar to the DMA⁹. Japan and the United Kingdom have since adopted laws addressing unfair practices by digital platforms, while other jurisdictions are pursuing similar objectives through wide-ranging antitrust investigations and litigation.

In its proposal for a Regulation, the Commission defined the **DMA's objective** as being 'to allow end users and business users [of digital platforms] to reap the full benefits of the platform economy' by addressing at EU level the most salient incidences of unfair practices and weak contestability¹⁰. Thus, the specific objectives were to (i) address gatekeepers' unfair conduct,

⁴ See the Commission's impact assessment report accompanying the document 'Proposal for a regulation of the European Parliament and of the Council on contestable and fair markets in the digital sector (Digital Markets Act) (COM(2020) 842 final) (hereinafter DMA impact assessment), paragraph 4. See also the report of the Special Advisers to Commissioner Vestager, J. Crémer, Y.-A. de Montjoye & H. Schweitzer (2018), *Digital policy for the digital era*, page 70: 'Digital policy for the digital era': 'the specificities of competition in the digital world [...] make market power 'sticky', and there is legitimate fear that the market power [large platforms] have acquired will be hard to challenge. Furthermore, they have been able to build on top of their core competencies, entire ecosystems which make it hard for new entrants to compete on the merit and which, many observers feel, face little competitive pressure'.

⁵ See DMA impact assessment, paragraphs 10-12.

⁶ See <https://digital-strategy.ec.europa.eu/en/library/expert-group-eu-observatory-online-platform-economy-final-reports>.

⁷ See https://commission.europa.eu/publications/communication-shaping-europes-digital-future_en.

⁸ DMA impact assessment, paragraph 22 et seq.

⁹ See, e.g. the overview in the G7 inventory of new rules for digital markets, October 2024, available at <https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/competition-and-digital-economy/g7-inventory-of-new-rules-for-digital-markets-2024-update.pdf>.

¹⁰ Proposal for a regulation of the European Parliament and of the Council on contestable and fair markets in the digital sector (Digital Markets Act) (COM(2020) 437 final) (hereinafter DMA proposal), page 2.

(ii) address market failures to ensure contestable and competitive digital markets for increased innovation and consumer choice, and (iii) enhance coherence and legal certainty to preserve the internal market (harmonisation)¹¹.

In this context, **contestability** relates to the ability of undertakings to effectively overcome barriers to entry and expansion and challenge gatekeepers on the merits of their products and services. **Fairness** relates to countering an imbalance between the rights and obligations of business users that translates into gatekeepers exploiting their position by obtaining a disproportionate advantage. Contestability and fairness are also intertwined. For example, the lack of contestability gives the gatekeeper power that allows it to impose unfair practices. A lack of contestability and fairness likely leads to a negative impact on prices, quality, fair competition, choice and innovation in the digital sector.

Harmonisation, the third specific objective of the DMA, is achieved by ensuring that business users and end users of core platform services provided by gatekeepers benefit from consistent regulatory safeguards throughout the EU against unfair practices of gatekeepers, thereby facilitating cross-border business within the EU. Harmonisation is an important means of **simplification** as it ensures that regulated companies follow a single rulebook in the internal market. **Business users but also the gatekeepers themselves stand to benefit from harmonisation** by not being subject to possibly 27 different national rules. The DMA is without prejudice to the application of competition law which is a complementary instrument that ensures all harmful practices can be addressed.

3. STATE OF PLAY OF THE DMA

At the time of writing this report, the Commission has designated **seven gatekeepers** providing **23 core platform services**¹².

As already mentioned, most changes in behaviour assessed in this report did not begin to occur until March 2024 (i.e. the point at which gatekeepers first had to comply with the DMA's substantive obligations). Furthermore, in March 2024, the gatekeepers' first annual **compliance** reports were published and presented in dedicated public workshops¹³, an exercise which was repeated in 2025. This process allows interested third parties – particularly business users – to discuss specific compliance issues with gatekeepers in a public forum moderated by the Commission¹⁴.

The primary method of enforcing the DMA is through constant **regulatory dialogue** between the Commission, gatekeepers and third parties. In this context, the Commission has already held numerous discussions with gatekeepers, business users and other stakeholders on gatekeepers' compliance measures across core platform services and obligations. This

¹¹ DMA impact assessment, paragraph 112.

¹² The seven gatekeepers are: Alphabet, Amazon, Apple, Booking, ByteDance, Meta and Microsoft. The 23 core platform services are: (1) Social network: TikTok, Facebook, Instagram and LinkedIn; (2) Intermediation: Google Maps, Google Play, Google Shopping, Amazon Marketplace, App Store, and Booking.com; (3) Ads: Google, Amazon, and Meta; (4) Number-independent interpersonal communication services: WhatsApp and Messenger; (5) Video sharing: YouTube; (6) Browser: Chrome and Safari; (7) Search: Google Search; (8) Operating system: Google Android, iOS, iPadOS and Windows PC OS.

¹³ Pursuant to Article 11 DMA, gatekeepers are obliged to publish and provide their compliance reports annually; see <https://digital-markets-act-cases.ec.europa.eu/reports/compliance-reports>.

¹⁴ See https://digital-markets-act.ec.europa.eu/events/workshops_en.

dialogue has helped to foster a compliance culture whereby gatekeepers engage directly and intensively with third parties and thus develop compliant products and services. For complex issues requiring further formal guidance, the Commission opens formal proceedings to specify how the relevant gatekeeper must comply with a particular obligation. To date, **four specification proceedings** have been initiated, of which two have been concluded and two are still ongoing¹⁵.

The Commission has also initiated **seven non-compliance proceedings**¹⁶. To date, two proceedings have been concluded with a finding of non-compliance which led to fines being imposed on Apple and Meta¹⁷, while one investigation concerning Apple was concluded without a finding of non-compliance after a constructive dialogue resulting in changes by Apple¹⁸. The other four non-compliance investigations are still ongoing. These proceedings reflect continued challenges in achieving full compliance with certain DMA obligations, including where gatekeepers have adopted approaches that may **delay or limit effective implementation**.

4. FINDINGS OF THE REVIEW

4.1. The DMA has made digital markets in the EU fairer and more contestable

An early positive impact on contestability and fairness

The DMA has contributed positively to the core objective of making digital markets in the EU **fairer and more contestable**. Although gatekeepers have only been fully subject to the obligations laid down by the DMA for just over two years, **tangible positive impact** can be seen across all DMA obligations. These include giving users back control over their data, opening up previously closed ecosystems, promoting fair online search and online marketplaces and improving advertising transparency¹⁹.

¹⁵ Press Release, Commission provides guidance under Digital Markets Act to facilitate development of innovative products on Apple's platforms (19.3.2025), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4761; Press Release, Commission opens proceedings to assist Google in complying with interoperability and online search data sharing obligations under the Digital Markets Act (27.1.2026), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_26_202.

¹⁶ Press Release, Commission opens non-compliance investigations against Alphabet, Apple and Meta under the Digital Markets Act (25.3.2024), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_24_1689; Press Release, Commission sends preliminary findings to Apple and opens additional non-compliance investigation against Apple under the Digital Markets Act (24.6.2024); available at https://ec.europa.eu/commission/presscorner/detail/en/ip_24_3433; Press Release, Commission opens investigation into potential Digital Markets Act breach by Google in demoting media publishers' content in search results (13.11.2025), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2675.

¹⁷ Press Release, Commission finds Apple and Meta in breach of the Digital Markets Act (23.4.2025), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1085.

¹⁸ Press Release, Commission closes investigation into Apple's user choice obligations and issues preliminary findings on rules for alternative apps under the Digital Markets Act (23.4.2025), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1086.

¹⁹ See Staff Working Document, Section 2.

Business users, in particular SMEs, and end users have both benefitted from this early positive impact.

For **business users**, a number of **benefits can already be seen**. For example:

- alternative browsers have reported a surge in use thanks to choice screens, which give visibility to their e differentiated service²⁰;
- more than 40 companies, predominantly SMEs, have incorporated new data portability solutions and actively leveraged data access to launch innovative services;²¹
- alternative app stores, including app stores provided by SMEs, have already emerged and are continuously expanding their range²²;
- alternative messaging services can now interoperate with WhatsApp and Facebook Messenger, which has already led to new providers, including a European SME entering the market with innovative new functions;²³
- developers can now make formalised requests to interoperate with gatekeepers' operating systems, which has enabled new third-party apps that can, for example, activate an alarm or send emergency text messages (SMS) even when a phone is switched off²⁴.

The above opportunities for business users, in particular **developers**, have benefitted **end users** by offering them greater choice and innovative products. Other direct benefits for end users have also been observed. For example:

- end users can now meaningfully choose²⁵ whether to allow gatekeepers to combine and cross-use their personal data across services, resulting in a significant share of end users withholding consent, thereby preventing the widespread gatekeeper practice of using data for unsolicited profiling and reducing related data advantages²⁶;
- end users can now download or transfer their data (e.g. social media posts or 'likes' on Facebook, Instagram or TikTok, purchase history on Amazon, Google Search history) and authorise other companies to access their data to offer innovative services, increasing freedom of choice for end users²⁷;
- end users can remove pre-installed apps they do not want to have on their phone, can set up an Android device with the email address of their choice or with their phone number without having to create a Gmail account, and can use Facebook Messenger independently of the Facebook social network.

Other major benefits are also benefits which are expected to materialise in the near term for business and end users, including as a result of the Commission's specification and enforcement actions. They include, for example, the possibility for providers of connected

²⁰ See Staff Working Document, page 13.

²¹ See Staff Working Document, page 9.

²² See Staff Working Document, pages 20-21.

²³ See Staff Working Document, page 19.

²⁴ See Staff Working Document, pages 17-18.

²⁵ In terms of "meaningful" end user choice, the DMA interfaces with consumer law, notably with the Unfair Commercial Practices Directive (EU) 2005/29 and its national transpositions by the Member States.

²⁶ See Staff Working Document, pages 7-8.

²⁷ See Staff Working Document, pages 8-11.

devices, such as smart watches or ear buds, to access important features of iOS that will allow them to further improve their products. Similarly, end users of iPhone and Android devices will soon be able to easily move their data when switching between the two, ending the long-standing barrier of end user lock-in²⁸.

The DMA has also led to noticeable improvements in relation to **advertising transparency**. For example, advertisers and publishers (i.e. website owners providing advertising space) can now access information on price, fees, remuneration and performance of advertisements. This is a significant step towards greater transparency in an area previously known as a ‘black box’ as gatekeepers’ online advertising platforms would keep this information to themselves. The result is that gatekeepers have introduced new tools and features, such as application programming interfaces through which advertisers and publishers can download detailed reports, thereby tangibly improving market practices compared to before the DMA²⁹.

Additional tangible progress has also been made in terms of **general transparency and accountability**. For example, business users, end users and the general public can now access information published by gatekeepers on how they comply with each of their DMA obligations, on intended mergers and acquisitions of gatekeepers, and on the consumer profiling techniques employed by gatekeepers. These public reports promote transparency and accountability by allowing everyone – from researchers to regulators – to follow digital market developments and industry trends, as well as changes in the conduct of particular gatekeepers³⁰. The reports have also been complemented by annual compliance workshops, where gatekeepers present in a public forum the efforts made to ensure compliance.

Evidently, the above descriptions are a snapshot of a continuously evolving situation and the examples provided are not exhaustive. However, the Commission’s monitoring and enforcement efforts are not limited to examining the initial positive impact of the DMA compared to the situation prior to its entry into application. Compliance is an ongoing process, mainly driven by regulatory dialogue between gatekeepers and third parties. The Commission will therefore need to continue monitoring compliance measures, and where necessary, improving on them to ensure the DMA reaches its full potential.

Costs and benefits

Complying with the DMA comes with certain **costs** for gatekeepers. Some gatekeepers have alleged that the DMA creates high costs for them and others, even arguing that the DMA should be abolished or substantially modified³¹.

The DMA imposes a range of obligations affecting the existing business models of a handful of very large undertakings, generating **compliance costs** for those undertakings. The Commission factored these costs into its impact assessment for the legislative proposal, and they were also taken into account by the co-legislators. By contrast, the DMA does not impose compliance costs on non-gatekeepers, in particular on SMEs and start-ups.

²⁸ See Staff Working Document, page 9.

²⁹ See Staff Working Document, page 34.

³⁰ See Staff Working Document, pages 38 et seq.

³¹ See the submissions available at https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en.

In its discussions with gatekeepers on compliance solutions, the Commission will continue to be mindful of compliance costs and administrative burdens to the extent that this is compatible with the objectives of the DMA. Compliance costs are also expected to decrease over time as gatekeepers increasingly shift towards a culture of compliance by design, as envisaged by the DMA, and begin to internalise compliance in the early stages of development of their products and services. The Commission has noticed initial signs that such a shift is occurring and will engage with gatekeepers to ensure it continues.

Costs can also be incurred by **end users** since some **adaptation costs** generated by the initial changes instigated by the DMA can be unavoidable. For instance, the user interfaces of some services have changed and end users have been prompted with choice screens to make conscious changes. That said, the DMA gives users additional choice while preserving their ability to continue using a gatekeeper's services. Any friction in users' online experience is likely to be temporary and may, in some cases, be necessary to empower consumers to make conscious choices in their use of digital services. On the other hand, friction can also be the result of design choices by gatekeepers and result in unnecessarily cumbersome compliance measures that discourage users from discovering and using alternatives. The Commission will keep monitoring compliance measures from this perspective and address them where necessary, including through the use of behavioural evidence.

4.2. EU added value and coherence

When considering a scenario **without the DMA as a counterfactual**, any attempt to achieve the above-mentioned positive impact through case-by-case intervention under EU and national competition laws – if at all possible – would have entailed higher costs for the undertakings concerned and higher administrative enforcement costs, while requiring a significantly longer timeframe to deliver the benefits in terms of fairness and contestability³². Moreover, the *ex ante* nature of the DMA allows benefits to be delivered without adversarial enforcement action since gatekeepers have six months from the time they are designated to ensure compliance. Had this positive impact been achieved through **national regulation**, compliance costs would have been even higher because gatekeepers would have had to comply with up to 27 potentially diverging obligations. Moreover, it may have led to regulatory fragmentation in the internal market which would have created regulatory uncertainty and complexity to the detriment of gatekeepers, business users and end users alike.

The DMA fits in **coherently** with other instruments – including those that predate its adoption – relating to, for example, data protection, copyright, and competition law, as well as tools which have since been adopted, for example in the areas of AI, cloud computing or digital identity. Cross-regulatory cooperation will continue to be facilitated through the High-Level Group for the Digital Markets Act, composed of five European bodies and networks of digital regulators³³, which will continue to foster collaborative dialogue among its members to help ensure coherent and effective implementation of the DMA and other sector-specific regulations applicable to gatekeepers.

³² See also DMA impact assessment, paragraph 102 et seq.

³³ The High-Level Group is composed of nominated representatives from the Body of the European Regulators for Electronic Communications ([BEREC](#)), the European Data Protection Board ([EDPB](#)) and the European Data Protection Supervisor ([EDPS](#)), the European Competition Network ([ECN](#)), the Consumer Protection Cooperation Network ([CPC Network](#)), and the European Board for Media Services ([Media Board](#)).

4.3. Simplification and guidance

The Commission is continuously exploring **simplification** potential, not just for business and end users looking to make use of their new rights under the DMA, but also in relation to gatekeepers' compliance efforts.³⁴ The Commission will continue to engage with gatekeepers and third parties to find the most efficient solutions for streamlining and simplifying regulatory dialogue and ensuring effective compliance. The Commission has also provided several templates to guide gatekeepers when submitting information to the Commission, such as suspension or exemption requests or compliance reports. The Commission will review these templates regularly to ensure their continued relevance and may further simplify them if warranted.³⁵

As an additional tool for providing guidance to gatekeepers and third parties, the Commission may adopt **guidelines** under Article 47 DMA. For example, the Commission, together with the European Data Protection Board, is working on joint guidelines on the interplay between the DMA and the General Data Protection Regulation³⁶.

The Commission is ready to listen to any outstanding concerns which gatekeepers or third parties may have in order to provide guidance and take its simplifications efforts further.

4.4. Targeted adjustment of enforcement practices and procedural aspects, but no current need to revise the DMA

In the two years since its entry into force, the DMA has had a real positive impact when viewed in terms of its underlying objectives. Nevertheless, and not least in view of its short period of application, the DMA has **still not reached its full potential** in terms of attaining the legislators' objectives. To that end, according to the majority of stakeholders who participated in the public consultation, the DMA needs to continue being robustly enforced so that both business users and end users are able to make use of the new opportunities afforded by the DMA.

In response to calls by a sizeable group of stakeholders for the DMA to be revised, in particular to address new challenges around contestability and fairness in digital markets, the Commission believes that at this stage the DMA is fit for purpose and does not need to be amended. Nevertheless, the Commission has identified particular areas of focus going forward, namely AI and cloud computing services, achieving greater transparency, and improving the Commission's procedures. Current and future actions which the Commission has already started or plans to undertake in these areas are summarised below and described in more detail in the Staff Working Document.

³⁴ Similarly, the Commission will continue to check if designated services no longer meet the requirements for designation and must therefore be 'un-designated' and the special regulatory regime imposed by the DMA is hence no longer justified for those services.

³⁵ See [Commission Decision](#) of 23 April 2025 to un-designate Meta for its online intermediation service Facebook Marketplace – see Staff Working Document, page 51.³⁵ See [Commission Decision](#) of 23 April 2025 to un-designate Meta for its online intermediation service Facebook Marketplace – see Staff Working Document, page 51.

³⁶ See https://digital-markets-act.ec.europa.eu/commission-services-and-edpb-will-start-joint-work-guidance-interplay-between-dma-and-gdpr-2024-09-10_en. Note that at the time of writing of this report, the draft guidelines were still to be adopted.

Scope of the DMA

The most prominent issues raised in the public consultation concerned cloud computing and AI services. Respondents argued for the DMA to be comprehensively applied to both services, for its scope to be extended to better cover those services and for it to address a number of practices affecting the fairness and contestability of both services³⁷.

In November 2025, the Commission has opened three market investigations into **cloud computing** services. Two market investigations assess whether Microsoft Azure and Amazon Web Services should be designated as gatekeepers for cloud computing services, while the third assesses if the DMA can effectively tackle practices that may limit competitiveness and fairness for cloud computing services³⁸. The future-proofing tools which the co-legislators incorporated into the DMA are therefore proving crucial and effective to reacting to developments in markets and technologies.

With respect to **AI services**, the Commission has started addressing various fairness and contestability issues that featured prominently in the public consultation³⁹. For instance, the Commission has focused its regulatory dialogue with gatekeepers on the issue of changing default settings easily and ensuring AI services have equal access to operating systems. Two specification proceedings were opened in January 2026 in relation to Alphabet that also have an AI dimension (interoperability and access to search data)⁴⁰. Similarly, the Commission focused its regulatory dialogue in relation to the ban on combining personal data without consent on the training and grounding of AI models and AI systems. Finally, the Commission is already monitoring the deployment of AI tools within designated core platform services to check for compliance with the DMA.

The DMA should not be seen in isolation when it comes to regulatory tools aiming to catalyse the AI or cloud value chain and enable innovation. Other laws, such as the AI Act, the Data Act and the Digital Services Act, as well as various AI investment measures regulate and facilitate complementary aspects relating to the provision of digital services and infrastructure in the EU. Furthermore, when it comes to addressing potential anticompetitive behaviour, competition law applies⁴¹. The various tools that the Commission has at its disposal to regulate

³⁷ See Commission's summary of DMA review consultation, page 2-3 and 7-9, available at https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en. With respect to other services that were mentioned in the consultation, please see the Staff Working Document, page 48.

³⁸ Press Release, Commission launches market investigations on cloud computing services under the Digital Markets Act (18.11.2025), available at https://digital-markets-act.ec.europa.eu/commission-launches-market-investigations-cloud-computing-services-under-digital-markets-act-2025-11-18_en; see also Staff Working Document, page 43.

³⁹ See summary and submissions to the consultation on the first review of the Digital Markets Act, available at https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en; see Staff Working Document, pages 47-48.

⁴⁰ Press Release, Commission opens proceedings to assist Google in complying with interoperability and online search data sharing obligations under the Digital Markets Act (27.1.2026), available at https://digital-markets-act.ec.europa.eu/commission-opens-proceedings-assist-google-complying-interoperability-and-online-search-data-sharing-2026-01-27_en.

⁴¹ For example, the Commission has recently opened two antitrust investigations into (i) Google's use of online content for AI purposes and (ii) Meta's new policy prohibiting AI providers to communicate via WhatsApp, through interim measure proceedings. See Press Release, Commission opens antitrust investigation into Meta's new policy regarding AI providers' access to WhatsApp (9.12.2025), available at https://ec.europa.eu/commission/presscorner/detail/da/ip_25_2964; and Press Release, Commission sends Meta fresh charge sheet on possible interim measures to reverse exclusion of third-party AI

the provision of digital services in the EU are applied and enforced in a way that is coherent and complementary, thereby creating clarity and predictability. Furthermore, it is clear that the structure of the DMA and its complementary relationship with other instruments are working effectively to also address emerging fairness and contestability concerns.

The Commission will continue monitoring developments in the area of AI as a matter of priority, ensuring full compliance with the DMA where AI technologies or services are either an integral part of designated core platform services or a distinct service potentially warranting designation. The Commission will do so as part of **its ongoing regulatory dialogue** with gatekeepers on their evolving business models and the implications for DMA compliance. The Commission will in particular further assess whether some AI services need to potentially be designated as virtual assistants. Moreover, the Commission will consider whether the DMA's future-proofing tools need to be used to update any obligations in relation to AI services.

Obligations

Within the framework already established by the DMA, the Commission has taken and will continue taking action to address a number of issues raised in the public consultation relating to the adequacy of the obligations laid down by the DMA. In particular:

- a **market investigation** is ongoing to assess whether the current obligations under the DMA are effective in addressing practices that limit competitiveness or are unfair in the cloud computing sector;
- the Commission is due to adopt **joint guidelines with the European Data Protection Board**⁴² on the interplay between the DMA and the General Data Protection Regulation, including guidance on data portability and on access to search data;
- a second round of **specification proceedings** was recently launched which will provide concrete measures and clarification on the interoperability of Android in relation to AI services and on access to search data;
- the Commission will review whether the obligation to provide **audited descriptions of any techniques for profiling of consumers** could benefit from further guidance or clarification through adjustments to the reporting template;
- tools in the DMA toolbox, which do not require legislative changes, could be fully exploited to help to apply the requirements of the DMA to existing or new situations, such as Commission guidelines or further specification decisions. Especially for new practices the Commission may also rely on competition law⁴³.

Extending interoperability obligations to online social networking services

For the following reasons the Commission considers it too early to extend the interoperability obligations currently imposed on messaging services to online social networking services:

assistants from WhatsApp (15.4.2026), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_26_805.

⁴² See the published draft on the EDPB's website: https://www.edpb.europa.eu/our-work-tools/documents/public-consultations/2025/joint-guidelines-interplay-between-digital_en.

⁴³ See, for instance, the two AI related antitrust cases mentioned in footnote 41.

- First, the study of an external contractor assigned by the Commission showed mixed evidence and, in particular, showed that interoperability for online social networking services involved greater technical complexities than for messaging services, and that demand for such horizontal interoperability from both end and business users was limited.
- Second, at this stage, the current interoperability obligations have not applied to messaging services for long enough to allow the Commission to draw final conclusions on whether the interoperability obligations should be extended to online social networking services.

Procedural framework and transparency

Overall, during the short time period in which the DMA procedural rules have been in application, they have proven fit for purpose.

Certain improvements could be made without amending the DMA. For instance, several measures could be taken to increase the transparency of the processes required by the DMA⁴⁴. In this regard, market participants, civil society and academics have strongly called for more transparency, visibility and accountability in DMA compliance processes. There is scope for more relevant information to be shared with third parties about ongoing **regulatory dialogue** with gatekeepers and about changes gatekeepers make to their compliance measures following such dialogue.

In particular, gradual improvements to reporting, monitoring, and transparency tools such as annual compliance reports could contribute to a more informed public conversation on DMA compliance and on gatekeepers' accountability towards European citizens. The Commission has observed that end users, business users and, in particular, SMEs are often not sufficiently aware of the opportunities created by the DMA. Accordingly, the Commission will look into further ways of **increasing awareness** and disseminating information on the evolving compliance measures of gatekeepers and on the opportunities created by the DMA.

The Commission will also assess whether amendments to the DMA Implementing Regulation are needed to reflect the lessons learned from the first two years of application and to improve monitoring and enforcement.

In terms of **cooperation with Member States and other regulators**, the Commission will in particular continue its discussions with national competition authorities on how to improve information sharing on enforcement actions and enforcement priorities under the DMA and competition rules. Similarly, the Commission intends to increase cross-regulatory cooperation and to explore with the DMA High-Level Group which measures could be taken to further step up coordination and cooperation between digital regulators, thereby increasing the impact of the High-Level Group.

Finally, **private enforcement** of the DMA is still at an early stage. The Commission is monitoring litigation cases involving gatekeepers in the Member States, a topic regularly discussed in the DMA High-Level Group. The Commission will observe how these private

⁴⁴ For details, see Staff Working Document, Chapter 5.

actions (including taking into account the Representative Action Directive (EU) 2020/1828) progress and may decide to take measures to ensure consistent application of the DMA.

5. CONCLUSIONS

The DMA has already had a **positive impact** on the contestability and fairness of digital markets during the short period it has been in application. Its early implementation has been **effective and efficient** in addressing the types of harmful conduct identified in the impact assessment. It has therefore helped to create fairer and more contestable digital markets in the EU. The DMA has significantly changed the conduct, technical design choices and contractual arrangements of gatekeepers, which has begun to open up new opportunities for business users and competitors. The DMA has also strengthened end user autonomy and agency in several key areas by empowering citizens to take back control over their data and make their own choices.

At the same time, not least in view of the short time it has been in application, the DMA has **not yet reached its full potential** in terms of attaining the co-legislators' objectives. To realise this potential, the Commission intends – as also suggested by the majority of stakeholders who participated in the consultation suggested – to continue intensive regulatory dialogue and, where needed, **rigorously enforce the DMA** so that, in combination with increased **awareness-raising**, businesses and consumers are able to make use of the new opportunities created by the DMA, thereby making Europe's digital markets fairer and more contestable, and fuelling choice and innovation in digital products and services.

The DMA as an EU-wide and centrally enforced regulatory tool **adds value** compared to the counterfactual of fragmented national rules. The DMA applies only to designated gatekeepers and does not impose direct obligations on SMEs. Moreover, the DMA fits coherently with other digital regulations and, through the DMA High-Level Group, has a dedicated forum in which digital regulators in the EU are able to coordinate and cooperate. The Commission will explore, together with the High-Level Group's members, ways to further step up cross-regulatory cooperation, which is increasingly necessary.

The DMA has been designed as a **future-proof tool** to regulate a fast-changing environment. In its current form, the DMA has proven to be well-suited to this environment and in principle able to keep pace with technological developments such as the increasing importance of cloud computing services and the rise of **AI**, as shown by the recently opened market investigations into **cloud** computing services as well as by the specification proceedings in the field of AI, which are ongoing at the time of writing of this report. In addition, the Commission will continue to make use of **regulatory dialogues to anticipate** new compliance challenges and discuss with gatekeepers any potential needs to adjust compliance plans as AI solutions evolve. The Commission therefore does not currently see any need to amend the DMA.

On the basis of the Commission's assessment taking account of the feedback from the consultation exercise, **future policy considerations and enforcement priorities** will cover the following topics: developments in AI services and potential enforcement gaps that could warrant additional designations, possible targeted modifications of the DMA's procedural framework, potential changes to certain templates used by gatekeepers, suitable measures to increase transparency in relation to beneficiaries, and a potential framework to enable a structured assessment of the DMA's impact going forward.