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**REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN
PARLIAMENT**

**Annual report on the implementation 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)**

I. INTRODUCTION

- (1) Over the last decade digital markets have become increasingly concentrated. The internet, which appeared as a free space for the many, is now dominated by the few: only a small group of digital gatekeepers are in control of large ecosystems. Gatekeeping positions have emerged, increasing the risk that business users and end users are treated unfairly and that market contestability in the provision of many digital services is seriously undermined.
- (2) The Digital Markets Act ('DMA')¹ aims to address such unfair behaviour and increase market contestability in digital markets. It creates more room for innovation by businesses offering services in the EU and more choice for consumers.
- (3) The focus of the Commission's DMA activities in 2025 was on its rigorous enforcement, as has been the case since the Regulation entered into force in 2023. While the actions in 2023 and 2024 were about starting to implement the DMA, designating the first gatekeepers and launching regulatory dialogues with them, and although certain results could already be seen, 2025 was the year in which many practical benefits to business users and end users started to materialise. For example, in order to improve interoperability for all users, in 2025 the Commission issued two specification decisions with regard to Apple. These decisions set out the conditions for interoperability with iOS for connected devices, such as smartwatches or other wearables, and the process for third parties to request such interoperability. The regulatory dialogue with gatekeepers also contributed to opening up mobile ecosystems by, for instance, delivering better choice screens for web browsers and online search engines.
- (4) This report highlights the Commission's actions in 2025, particularly the results obtained from regulatory dialogues and from other, enforcement actions². All these actions are in line with President von der Leyen's 2024-2029 Political Guidelines³ and her mission letters to Executive Vice-President Virkkunen and Executive Vice-President Ribera⁴, who are jointly entrusted with the task of ensuring that the DMA is implemented effectively.
- (5) The report is structured as follows. Section II presents activities regarding the designation of gatekeepers. Section III explains the Commission's actions to implement and enforce the DMA through regulatory dialogue and formal proceedings. Section IV describes the Commission's investigation into new practices that are unfair or that limit market contestability. Section V addresses the reporting requirements for gatekeepers regarding consumer profiling practices. Section VI explains the interaction between the Commission and national authorities. Section VII details activities related to cross-regulatory cooperation, such as those related to the High-Level Group for the DMA ('HLG'). Finally, Section VIII reports on other activities carried out by the Commission in the reporting year that were related to the review of the DMA and to international cooperation.

¹ OJ L 265, 12.10.2022, p. 1.

² This is the third annual report where the Commission presents the actions it has taken regarding the implementation and enforcement of the DMA, which entered into force on 2 May 2023. Previous reports can be accessed here: https://digital-markets-act.ec.europa.eu/about-dma/dma-annual-reports_en.

³ https://commission.europa.eu/about/commission-2024-2029_en.

⁴ https://commission.europa.eu/about/organisation/college-commissioners/henna-virkkunen_en and https://commission.europa.eu/about/organisation/college-commissioners/teresa-ribera_en.

II. GATEKEEPERS AND CORE PLATFORM SERVICES UNDER SUPERVISION

- (6) The digital services subject to the Commission’s supervision under the DMA continued to evolve in 2025. At the end of the reporting period there were seven gatekeepers (Alphabet, Amazon, Apple, Booking, ByteDance, Meta and Microsoft) that were subject to the DMA in respect of a total of 23 core platform services (‘CPSs’) that they provided⁵.
- (7) Most notably, 2025 saw the first removal of a CPS from a gatekeeper’s designation decision, as the undertaking no longer met the quantitative thresholds under Article 3(2) DMA. Several additional services were notified as meeting the thresholds, but they were not deemed to be important gateways. Furthermore, given the relevance of cloud computing services for businesses operating in the EU and for the European economy more generally, the Commission also launched two market investigations into the potential qualitative designations of Amazon’s and Microsoft’s cloud computing services – Amazon Web Services (‘AWS’) and Azure, respectively.

1. Review of a designation decision

- (8) On 5 March 2024, Meta requested that its online intermediation service Marketplace be undesignated, arguing that it had taken measures to remove business users from Marketplace and to ensure that the service was exclusively for consumer-to-consumer use⁶. Following these measures, which included the removal of users that were found to be business users in Meta’s designation decision of 2023⁷, the Commission concluded in its designation decision of 23 April 2025 that Marketplace had fewer than 10 000 yearly active business users in 2024⁸. As a result, the designation decision was amended pursuant to Article 4(1) DMA by removing Marketplace from the list of CPSs under supervision.

2. Notifications of new services

- (9) On 27 November 2025, Apple notified the Commission that it had met the quantitative thresholds of Article 3(2) DMA with regard to its online advertising service Apple Ads and its online intermediation service Apple Maps. Together with its notification, Apple also submitted a rebuttal under Article 3(5) DMA, claiming that these two services did not qualify as important gateways for business users to reach end users⁹. Apple’s submission triggered the procedure whereby the Commission had 45 working days to assess whether the claims were sufficiently substantiated and, if appropriate, to open a market investigation under Article 17(3) DMA¹⁰.

⁵ An updated list of gatekeepers and CPSs can be seen at https://digital-markets-act.ec.europa.eu/gatekeepers_en.

⁶ As a subsidiary point, Meta also argued that Marketplace’s overall scale of activities could not be considered an important gateway in the sense of Article 3(1) DMA. However, this point was not examined in the Commission Decision since Meta’s first point was accepted.

⁷ Commission Decision C(2023) 6105 final of 9 September 2023.

⁸ Commission Decision C(2025) 2547 final of 23 April 2025.

⁹ See the Commission’s press release of 27 November 2025: https://digital-markets-act.ec.europa.eu/commission-receives-notifications-apple-under-digital-markets-act-2025-11-27_en.

¹⁰ On 5 February 2026, the Commission concluded that neither Apple Ads nor Apple Maps constituted important gateways for business users to reach end users: https://digital-markets-act.ec.europa.eu/commission-finds-apple-ads-and-apple-maps-should-not-be-designated-under-digital-markets-act-2026-02-05_en.

3. Investigations into qualitative designations

- (10) On 18 November 2025¹¹, the Commission launched two market investigations to assess whether Amazon and Microsoft should be designated as gatekeepers for their respective cloud computing services AWS and Azure¹². Although these two services did not meet the thresholds set out in Article 3(2) DMA for the quantitative designation of a CPS, the Commission took the view that there were grounds to consider that Amazon and Microsoft, through AWS and Azure respectively, could be important gateways for business users to reach end users in the sense of Article 3(1) DMA. Cloud computing services have become the backbone of many digital services and are crucial for businesses operating in the EU, as well as for the development of AI technologies. The ongoing market investigations into AWS and Azure are thus an opportunity to determine whether they qualify as important gateways and, if so, to designate them as such under the DMA.

4. Litigation before EU courts about designations

- (11) In 2025, the Commission continued to defend its designation decisions before EU courts in relation to the pending proceedings initiated by Apple¹³, Meta¹⁴ and Opera¹⁵. The General Court's judgments in these three cases are still pending.
- (12) Furthermore, the Commission continued to be an active defendant in the two ongoing proceedings related to ByteDance. This gatekeeper filed an appeal against the General Court's judgment upholding the Commission's decision designating ByteDance as a gatekeeper¹⁶. In addition, ByteDance's external legal counsel had challenged in his own name the Commission's decision to reject the request for access to documents related to the designation of ByteDance¹⁷.

III. GATEKEEPERS' COMPLIANCE WITH DMA OBLIGATIONS

1. Monitoring activity

- (13) Gatekeepers must adapt their services in such a way that they comply with the DMA obligations at all times, demonstrating compliance by design. To enable the Commission to perform its monitoring tasks and to ensure gatekeepers'

¹¹ See the Commission's press release of 18 November 2025: https://digital-markets-act.ec.europa.eu/commission-launches-market-investigations-cloud-computing-services-under-digital-markets-act-2025-11-18_en.

¹² See Commission Decision C(2025) 7946 final of 18 November 2025 with regard to Amazon, and Commission Decision C(2025) 7947 final of 18 November 2025 with regard to Microsoft.

¹³ Apple challenged the delineation of the App Store as a single CPS, the legality of Article 6(7) DMA, and the qualification of iMessage as a number-independent interpersonal communications service. See Case T-1080/23, *Apple v Commission*, OJ C, C/2024/563, 8.1.2024, ELI: <http://data.europa.eu/eli/C/2024/563/oj>; Case T-1079/23, *Apple v Commission*, OJ C, C/2024/562, 8.1.2024, ELI: <http://data.europa.eu/eli/C/2024/562/oj>; Case T-214/24, *Apple and Apple Distribution International v Commission*, OJ C, C/2024/3623, 17.6.2024, ELI: <http://data.europa.eu/eli/C/2024/3623/oj>.

¹⁴ Meta appealed the designation of Marketplace and Messenger as CPSs. See Case T-1078/23, *Meta Platforms v Commission*, OJ C, C/2024/561, 8.1.2024, ELI: <http://data.europa.eu/eli/C/2024/561/oj>.

¹⁵ Opera challenged the Commission's decision not to designate Microsoft as a gatekeeper for Microsoft Edge. See Case T-357/24, *Opera Norway v Commission*, OJ C, C/2024/5640, 30.9.2024, ELI: <http://data.europa.eu/eli/C/2024/5640/oj>.

¹⁶ Case C-627/24 P, *ByteDance v Commission*, OJ C, C/2024/6639, 11.11.2024, ELI: <http://data.europa.eu/eli/C/2024/6639/oj>.

¹⁷ Case T-433/24, *Batchelor v Commission*, OJ C, C/2024/6103, 21.10.2024, ELI: <http://data.europa.eu/eli/C/2024/6103/oj>. It must be noted that the General Court ultimately dismissed the action in judgment of 25 February 2026, *Batchelor v European Commission*, T-433/24, EU:T:2026:143.

accountability towards the market, the gatekeepers submitted their compliance reports in March 2025¹⁸, accompanied by independently audited descriptions of techniques for profiling consumers applied to or across their CPSs¹⁹.

- (14) Under the DMA, regulatory dialogue is instrumental in monitoring gatekeepers' compliance: it allows the Commission to engage intensely with gatekeepers to discuss every detail of their compliance proposals and solutions – including with regard to changes to their CPSs as they evolve to meet users' demands and to incorporate new technologies, such as AI-based features – as well as to seek and hear feedback from relevant third parties.
- (15) As part of the open nature of regulatory dialogue, in June and July 2025 the Commission also ran a series of workshops where participants could give their views on the compliance measures implemented by Amazon, Alphabet, Apple, ByteDance, Meta and Microsoft. These were focused particularly on the changes made to those compliance measures²⁰. Attendance at these workshops was open to the public, notably business users, civil society, and consumer and business associations. Recordings of all workshops held in 2025 are available on the Commission's DMA website²¹. Following discussions with representatives of civil society, the Commission put in place additional transparency measures regarding participants' affiliation with gatekeepers.

2. Results and benefits of gatekeepers' compliance with Articles 5, 6 and 7 DMA

- (16) The scope of the DMA is broad. It covers CPSs that are key for the daily life of users, such as operating systems, online social networks or online search engines, and it imposes a large number of responsibilities on gatekeepers. Consequently, the Regulation has already contributed to the quality of digital services for EU users by giving them more control over their data, opening up mobile ecosystems, addressing network effects in messaging services, and making online services fairer.

a) Giving users control over their data

- (17) One of the main characteristics of gatekeepers is their ability to accumulate vast amounts of data, which creates entry barriers in those markets where gatekeepers are present. Moreover, it is often the case that competitors cannot access that data, which undermines market contestability and, ultimately, reduces choice for end users and impedes innovation. It is for this reason that many provisions of the DMA – Articles 5(2), 5(9), 5(10), 6(2), 6(8), 6(9) and 6(10) – focus on how gatekeepers use the data they have accumulated and give end users and business users more control over the data they generate when using gatekeepers' services.
- (18) The Commission continues to be very active in this area. Notably, it adopted a non-compliance decision against Meta for infringing Article 5(2) DMA²². This obligation requires gatekeepers to seek users' consent for combining their personal data between services. Users who do not consent must have access to a less personalised but equivalent alternative. Gatekeepers such as Microsoft and Alphabet have rolled

¹⁸ Non-confidential versions of these documents are accessible via the Commission's DMA website: <https://digital-markets-act-cases.ec.europa.eu/reports/compliance-reports>.

¹⁹ See Section V of this report.

²⁰ The compliance workshop with regard to Booking.com had already been held on 25 October 2024.

²¹ <https://digital-markets-act.ec.europa.eu/events/workshops>.

²² Commission Implementing Decision C(2025) 2091 final of 23 April 2025.

out consent screens allowing end users to express their consent to having their data combined across each gatekeeper's services. A significant percentage of end users have decided to withhold their consent.

- (19) The Commission opened proceedings against Meta following the announcement on 30 October 2023 of its binary 'Consent or Pay' advertising model. This meant EU users of Facebook and Instagram had a choice between consenting to having their personal data combined for personalised advertising or paying a monthly subscription for an ad-free service. The Commission found that this model was in breach of the DMA as it did not give users the specific choice, provided for by Article 5(2) DMA, to opt for a service that uses less of their personal data but is otherwise equivalent to the service containing personalised advertising. Furthermore, Meta's model did not allow users to exercise their right to freely consent to having their personal data combined. Meta was fined EUR 200 million²³.
- (20) On 8 December 2025, Meta announced that, starting from 2026, it would offer users in the EU an alternative choice of Facebook and Instagram services that would show them less personalised advertising, to comply with the DMA²⁴. According to Meta, end users in the EU would have a choice between consenting to share all their data and seeing fully personalised advertising, or opting to share less personal data for an experience with more limited personalised advertising. Once this new advertising model has been implemented, the Commission will seek feedback and evidence from Meta and other relevant stakeholders on its impact and uptake²⁵.
- (21) The reporting year was also busy in the context of data portability under Article 6(9) DMA. As a result of the regulatory dialogue, gatekeepers improved their compliance solutions that allow end users to port their data. One illustration is the possibility offered by Alphabet to request forward-looking access to data. This allows end users to make a single request to receive data in the future on a daily, weekly or monthly basis. Another update to Alphabet's data portability application programming interface is the possibility to set the period for which historic data is requested. In the same vein, in August 2025, Meta consolidated its DYI (i.e. download your information) and TYI (i.e. transfer your information) tools into a single EYI (i.e. export your information) tool, enhancing the end-user experience relating to data transfers.
- (22) The regulatory dialogue between the Commission, Alphabet and Apple also resulted in the development of a device portability solution that allows end users to easily move their data from an Android device to an iPhone and vice versa. Developers and device manufacturers will benefit from this compliance solution too. The former will be able to retain their users if they switch to different devices, and the latter will be able to attract more users who were locked in to other device ecosystems.

b) Opening mobile ecosystems

- (23) The regulatory dialogue yielded results regarding not only users' agency over their

²³ Meta has appealed the Commission's non-compliance decision. See Section II.4 of this report.

²⁴ See the Commission's press release of 8 December 2025: https://digital-markets-act.ec.europa.eu/meta-commits-give-eu-users-choice-personalised-ads-under-digital-markets-act-2025-12-08_en.

²⁵ The Commission's proceedings against Meta under the DMA are distinct from and without prejudice to the investigations by the Consumer Protection Cooperation Network of national consumer protection authorities, coordinated by the Commission, concerning the use of potential unfair commercial practices and unfair contract terms in the context of the presentation of Meta's 'Consent or Pay' advertising model to consumers in the EU/EEA.

data, but also the opening up of mobile ecosystems. This area is one where multiple obligations under the DMA, such as Articles 5(4), 5(7), 5(8), 6(3), 6(4) and 6(7), come into play. Their common goal is to create more opportunities for developers, by fostering innovation, and to give greater choice to end users in the EU. For example, these legal provisions require gatekeepers to allow developers to steer their end users to better offers outside the gatekeepers' services, to provide choice screens, to enable the use of alternative distribution channels, and to ensure effective interoperability with their hardware and software free of charge.

Defaults, choice screens and uninstallation

- (24) In this area, the Commission engaged in regulatory dialogue with Microsoft, which in 2025 made several changes that, among other things, made it easier for end users to set their default web browser and use it effectively. The Commission also engaged in regulatory dialogue with Alphabet, which continued to roll out (online search engine and web browser) choice screens²⁶.
- (25) Another illustration is the closing of the proceedings concerning Apple and Article 6(3) DMA. In 2024, the Commission started a non-compliance investigation into whether Apple was complying with its obligation to enable users to easily uninstall software applications from iOS, to change default settings and to choose a default web browser from a choice screen. When the proceedings opened, Apple took a constructive approach and improved the choice screen for web browsers by making the user experience smoother than it was initially. Apple also made it easier to change other default settings on iOS, such as those related to calls, messages, password managers or translation services, and it allowed Apple's pre-installed apps, such as the web browser Safari or the App Store, to be uninstalled.
- (26) This case is an illustration of how effective and useful it can be when gatekeepers and third parties engage positively with the Commission. The Commission closed the investigation on 23 April 2025 without adopting a non-compliance decision²⁷. It will keep monitoring Apple's measures and continue the regulatory dialogue to ensure full and effective compliance with the DMA, providing end users with meaningful choices.

Vertical interoperability with operating systems

- (27) Article 8(2) DMA empowers the Commission to adopt implementing acts specifying the measures that gatekeepers must implement to comply with the obligations in Articles 6 and 7 DMA. Specification proceedings allow the Commission to provide gatekeepers with concrete guidance as to how to comply with their obligations under the DMA. These proceedings are not aimed at imposing fines; instead, they establish a formal framework within which the Commission and gatekeepers engage in a technical dialogue about compliance solutions, while taking account of input provided by third parties.
- (28) The Commission adopted the first two specification decisions on 19 March 2025 to help Apple comply with the interoperability obligation laid down in Article 6(7)

²⁶ Alphabet announced other improvements in 2026 as a result of this regulatory dialogue, such as placing the icon of the web browser selected by the user from the choice screen in the 'hotseat' of new Pixel devices and adding a new functionality allowing users to switch their default online search engine in the 'default apps menu' in the settings.

²⁷ See the Commission's press release of 23 April 2025: https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1086.

DMA²⁸. This obligation requires gatekeepers to provide third parties with effective interoperability with the same hardware and software features accessed or controlled via the operating system or the virtual assistant designated under the DMA. This is crucial in allowing room for alternative providers to innovate and offer alternatives to gatekeepers' services. Effective compliance with Article 6(7) DMA therefore results in a wider choice of products available to European consumers.

- (29) These two specification decisions concluded the two proceedings that the Commission had opened on 19 September 2024. One concerned connectivity features provided by iOS and related functionalities that are predominantly used for and by connected devices, e.g. smartwatches, headphones and other wearables. The other concerned the process that Apple had put in place for third parties to submit interoperability requests with respect to iOS and iPadOS.
- (30) The specification decision on connectivity features concerned measures granting device manufacturers and app developers improved access to iPhone features that interact with such devices (e.g. displaying notifications on smartwatches), faster data transfers (e.g. peer-to-peer Wi-Fi connections, and near-field communication) and easier device set-up (e.g. pairing).
- (31) The specification decision on Apple's process for handling interoperability requests put in place a set of measures to improve its transparency and effectiveness. This included improving access to technical documentation on features not yet available to third parties, timely communication and updates, and a more predictable timeline for the review of interoperability requests.
- (32) These two specification decisions, which are legally binding²⁹, bring new opportunities for device manufacturers to innovate and improve European users' experience. They also provide for a fairer and faster handling of interoperability requests by app developers, which ultimately results in more choice for European users. Apple is implementing all these measures on a rolling basis with the new updates to iOS. For instance, as of 15 December 2025 with the beta version of iOS 26.3, app developers could already test interoperability with the features related to proximity pairing, which allows connected physical devices to be paired easily with iOS devices, and improved notifications, which are essential for users to stay informed about events and updates, get reminders or pop ups from apps, or react and reply to messages.

Steering to alternative offers

- (33) In 2025 the Commission also made progress with implementing Article 5(4) DMA. This provision gives more freedom to developers to reach end users without having to use the CPS of the gatekeeper. Gatekeepers have to allow these communications between developers and end users, including the promotion of offers, free of charge. One result of this provision is that Alphabet and Apple should allow developers that distribute apps through Alphabet's and Apple's app stores to steer end users to offers and conclude contracts with them outside these app stores. This was not possible before gatekeepers had to comply with the DMA as of 7 March 2024.
- (34) On 23 April 2025, the Commission found that Apple had failed to comply with

²⁸ Commission Implementing Decision C(2025) 3000 final of 19 March 2025 and Commission Implementing Decision C(2025) 3001 final of 19 March 2025.

²⁹ Apple has challenged both specification decisions before the General Court. See Section III.3 of this report.

Article 5(4) DMA³⁰. The Commission examined whether Apple’s original business terms, its new business terms and its new music streaming business terms complied with this legal provision. It found Apple non-compliant due to a number of restrictions imposed on app developers who could not fully benefit from the advantages of alternative distribution channels outside the Apple’s App Store. Similarly, consumers could not fully benefit from alternative and cheaper offers as Apple prevented app developers from directly informing them of such offers. The Commission also concluded that Apple had failed to demonstrate that the restrictions imposed were objectively necessary and proportionate. The Commission fined Apple EUR 500 million and ordered it to remove the technical and commercial restrictions on steering, to discontinue its non-compliant conduct and not to act in a manner that has an equivalent object or effect³¹.

- (35) On 19 March 2025, the Commission issued preliminary findings that Alphabet had technically prevented certain aspects of steering³², for instance by preventing app developers from steering customers to the offers and distribution channels of their choice. Moreover, while Alphabet can receive a fee under Article 5(4) DMA for facilitating the initial acquisition of a new customer by an app developer via Google Play³³, the Commission’s preliminary finding was that the fees charged by Alphabet seemed to go beyond what was justified. For example, Alphabet charged developers a high fee over an unduly long period of time for every purchase of digital goods and services³⁴.
- (36) Both gatekeepers, Alphabet and Apple, are making changes to the terms and conditions of their respective app stores to comply with Article 5(4) DMA. The Commission is assessing whether these measures are sufficient to comply effectively with this obligation and continues to engage with both gatekeepers as well as with relevant third parties in this respect.

Alternative distribution channels

- (37) Control over distribution channels for apps within mobile ecosystems is a key factor that allows gatekeepers to keep them closed, undermining market contestability. To ensure that app developers have other means of distributing their apps, Article 6(4) DMA requires gatekeepers to enable alternative distribution channels on their operating systems. This reduces the dependency of both business users and end users, providing the former with more room for innovation and the latter with more choice.
- (38) On 23 April 2025, the Commission issued a preliminary finding that Apple had failed to comply with Article 6(4) DMA regarding the contractual terms which Apple imposed on developers wanting to provide third-party app stores or to offer their apps through such app stores³⁵. The Commission’s preliminary findings were, in view of the conditions that Apple imposes, that: (i) developers are disincentivised

³⁰ Commission Implementing Decision C(2025) 2090 final of 23 April 2025: <https://competition-cases.ec.europa.eu/cases/DMA.100109>.

³¹ Apple has appealed the Commission’s non-compliance decision. See Section III.3 of this report.

³² See the Commission’s press release of 19 March 2025: https://ec.europa.eu/commission/presscorner/detail/en/ip_25_811.

³³ Recital 40 DMA.

³⁴ The case remains open as of March 2026.

³⁵ See the Commission’s press release of 23 April 2025: https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1086.

from using alternative app distribution channels on iOS as this requires them to opt for business terms which include a new fee (Apple's Core Technology Fee); (ii) Apple had introduced overly strict eligibility requirements, hampering developers' ability to distribute their apps through alternative channels; and (iii) Apple had made it overly burdensome and confusing for end users to install apps when using alternative app distribution channels³⁶.

Increasing user choices when signing up to gatekeeper services

- (39) Following an extensive dialogue, Alphabet dropped its requirement to use a Gmail account to create a Google account and access Alphabet's services, such as Android, YouTube or Google Play. Users can now subscribe to these services by choosing other solutions that align more closely with their preferences. The reasons for this may include privacy considerations – for example, they can choose another solution that has a different standard to protect privacy – or geographical considerations – for example, they can select an alternative where data is stored in the EU³⁷.

c) Interoperability of messaging services

- (40) 2025 represented a milestone for Article 7 DMA. This provision addresses strong network effects in messaging services by imposing a horizontal interoperability obligation for those messaging services provided by gatekeepers designated under the DMA – currently Meta's WhatsApp and Messenger.
- (41) One of the particularities of Article 7 DMA is the staggered implementation that the provision requires. While gatekeepers had to make their messaging services interoperable for one-to-one chats six months after their designation, they had two years to enable interoperability for group chats³⁸. On 6 September 2025, Meta thus updated the reference offer and developer documentation on interoperability for WhatsApp and Messenger³⁹. The Commission is monitoring the implementation of Meta's compliance solution for interoperable group chats.
- (42) As a result, in November 2025 two providers of messaging services, BirdyChat and Haiket, announced that they would become interoperable with WhatsApp⁴⁰. The Commission is working closely with the parties involved to ensure an optimal interoperable experience for end users in the EU.

d) Fair online search and online marketplaces

Fairness in online search engines

- (43) The DMA protects business users from unfair behaviour on online search engines controlled by gatekeepers. Given that business users depend on their presence in online search engines for the success and viability of the services they provide, it is crucial that they are treated fairly in online search rankings and that the conditions gatekeepers impose are fair. Articles 6(5) and 6(12) DMA, addressing self-preferencing treatment and unfair ranking and imposing fair, reasonable and non-

³⁶ The case is still ongoing as of March 2026.

³⁷ See the European Consumer Organisation's report 'First Bloom: increased consumer choice after eighteen months of the DMA', published in November 2025: https://www.beuc.eu/sites/default/files/publications/BEUC-X-2025-101_Increased_consumer_choice_after_eighteen_months_of_the_DMA.pdf.

³⁸ Article 7(2)(b) DMA.

³⁹ <https://developers.facebook.com/m/messaging-interoperability/>.

⁴⁰ <https://about.fb.com/news/2025/11/messaging-interoperability-whatsapp-enables-third-party-chats-for-users-in-europe/>.

discriminatory terms on accessing online search engines, are instrumental in this regard.

- (44) The Commission was very active on this front in 2025. Firstly, it continued working on the non-compliance investigation launched in 2024 into Google Search with regard to Article 6(5) DMA. It issued preliminary findings on 19 March 2025⁴¹, taking the view that Alphabet was in breach of that legal provision for treating its own services more favourably in Google Search results than similar services offered by third parties. Alphabet did this by displaying its own services either at the top of Google Search results or on dedicated spaces with enhanced visual formats and filtering mechanisms. The scope of the investigation is broad, as it concerns Alphabet's vertical search and content services in various areas, such as travel, e-commerce and hospitality. To hear all the interested parties during the investigation, the Commission organised several workshops where relevant market players could provide their feedback to the compliance proposals presented by Alphabet.
- (45) Secondly, the Commission also monitored the general conditions of access to which business users of online search engines are subject within the context of Article 6(12) DMA. On 13 November 2025, the Commission launched non-compliance proceedings with regard to the site reputation abuse policy of Google Search, on the basis of which Alphabet demotes parts of publishers' websites when they contain content from commercial partners⁴². This policy may directly impact a common and legitimate way for publishers to monetise their websites and content. The Commission is continuing to engage with Alphabet and with interested parties to assess compliance with the legal provision.

Fairness in online marketplaces

- (46) Article 6(5) DMA concerns not only fairness in rankings of online search engines, but also visual prominence on other CPSs, such as online marketplaces. As in the case of online search engines, gatekeepers operating online marketplaces and distributing their own goods and services through them might also engage in unfair behaviour. This behaviour could consist of, for example, giving more prominence to the gatekeeper's goods and services in search results, or placing them in more relevant locations of the webpage to nudge users to select their own products over those of third parties.
- (47) The Commission engaged in regulatory dialogue with Amazon to ensure that it was not treating its own-brand products or other products sold by Amazon Retail more favourably to the detriment of third-party sellers offering similar products.

3. Litigation before EU courts about compliance with the DMA

- (48) In addition to the litigation related to the designation of gatekeepers and their CPSs that is before EU courts and was referred to earlier, the Commission is also party to Meta's and Apple's actions for annulment that were filed on 4 July 2025⁴³ and 7 July 2025⁴⁴ against the Commission's non-compliance decisions in which it found that

⁴¹ See the Commission's press release of 19 March 2025: https://ec.europa.eu/commission/presscorner/detail/en/ip_25_811.

⁴² See the Commission's press release of 13 November 2025: https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2675. See also the Commission Decision C(2026) 7806 final of 12 November 2025.

⁴³ Case T-432/25, *Meta Platforms v Commission*, OJ C, C/2025/5214, 6.10.2025, ELI: <http://data.europa.eu/eli/C/2025/5214/oj>.

⁴⁴ Case T-438/25, *Apple v Commission*, OJ C, C/2025/5215, 6.10.2025, ELI:

Meta and Apple had breached Article 5(2) and Article 5(4) DMA, respectively. Furthermore, the Commission is also party to Apple's actions for annulment against the Commission's two specification decisions in respect of Article 6(7) DMA⁴⁵.

4. Information about concentrations

- (49) Under Article 14 DMA, gatekeepers are required to inform the Commission of any intended concentration where the merging entities or the target of concentration provide CPSs or any other services in the digital sector or enable the collection of data. This obligation increases the transparency of acquisitions by gatekeepers and allows the Commission to identify broader acquisition trends in the digital sector. It also increases the availability of information to the public on certain gatekeeper practices and digital market developments.
- (50) In 2025 the Commission received 36 notifications of intended concentrations from gatekeepers, taking the total number of notifications received since 2023 to 55⁴⁶. Non-confidential summaries of the information submitted by gatekeepers are published on the Commission's website⁴⁷, along with the notification date and the identity of undertakings.
- (51) The notifications received in 2025 showed a prevalence of transactions focusing on AI. Similarly to 2024, several notifications in 2025 concerned agreements relating to the acquisition of talent, also known as 'acqui-hiring'⁴⁸. These transactions can take different forms but typically involve hiring agreements for key staff in the target company. However, they do not always involve the acquisition of shares in or assets of the target company. Whether such transactions constitute concentrations within the meaning of Article 3 of the EU Merger Regulation⁴⁹ requires a case-by-case analysis.
- (52) The Commission shares all this information on acquisitions with the Member States, which may use it for merger control purposes at national level. Where Member States have national jurisdiction, national competition authorities may refer concentrations to the Commission⁵⁰.

IV. MARKET INVESTIGATIONS INTO NEW PRACTICES

- (53) For the first time since the entry into force of the DMA, in 2025 the Commission resorted to another tool from its regulatory toolbox: the possibility of running market investigations into new services and practices within the framework of Article 19 DMA. This is an essential element of the DMA, as it enables the Commission to follow the dynamics and developments in digital markets.
- (54) Placing the focus on potential practices that may undermine market contestability or

<http://data.europa.eu/eli/C/2025/5215/oj>.

⁴⁵ Case T-354/25, *Apple and Apple Distribution International v Commission*, OJ C, C/2025/5212, 6.10.2025, ELI: <http://data.europa.eu/eli/C/2025/5212/oj>; and Case T-359/25, *Apple and Apple Distribution International v Commission*, OJ C, C/2025/5213, 6.10.2025, ELI: <http://data.europa.eu/eli/C/2025/5213/oj>.

⁴⁶ In 2023 the Commission received 3 notifications. In 2024 the Commission received 16 notifications, revising the figure in the 2024 DMA Annual Report. In 2025 the Commission received 36 notifications.

⁴⁷ <https://digital-markets-act-cases.ec.europa.eu/acquisitions>.

⁴⁸ See, for example, Google's acquisitions of Upollo, Logic and Rhythm or HTC Corporation, or Amazon's acquisition of Pixwise. To see non-confidential summaries of these transactions, visit the Commission's DMA website indicated in the previous footnote.

⁴⁹ Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EU Merger Regulation), OJ L 24, 29.1.2004, p 1.

⁵⁰ Article 22 of the EU Merger Regulation.

be unfair, on 18 November 2025 the Commission launched a market investigation into the cloud computing sector⁵¹, which is running in parallel to the market investigations into the potential qualitative designations of AWS and Azure⁵².

- (55) The main goal of this market investigation is to gather information from all players in the cloud computing sector, such as cloud providers, integrators, independent software vendors and customers. Given the growing importance of the cloud sector for businesses in the EU and its crucial role for the development of AI and other related, cutting-edge technologies, it is of utmost importance that the current obligations in Articles 5 and 6 DMA are effective in addressing practices that are unfair or undermine market contestability in this sector.
- (56) This investigation covers aspects such as obstacles to interoperability, limited or conditioned access by business users to data, the tying and bundling of services and potentially imbalanced contract terms. It will conclude with a report, to be published within 18 months of the investigation opening. If appropriate, the report may propose updates to certain DMA obligations in respect of cloud computing services, by way of a delegated act or a legislative proposal.

V. ARTICLE 15 DMA: ASSESSMENT OF THE AUDITED DESCRIPTION OF CONSUMER PROFILING TECHNIQUES

- (57) Article 15 DMA requires gatekeepers to submit to the Commission an independently audited description of any techniques for profiling consumers that they apply to or across any of the CPSs listed in their designation decision (a ‘consumer profiling report’)⁵³. These reports, which are shared with the European Data Protection Board (‘EDPB’), are particularly valuable as they enhance the transparency of gatekeepers’ profiling practices and can be used for the purposes of enforcing the General Data Protection Regulation (‘GDPR’), as acknowledged by the EDPB⁵⁴. Gatekeepers must also publish public overviews of their reports, to keep third parties such as business users informed.
- (58) This provision also requires gatekeepers to update their consumer profiling reports and public overviews at least annually. 2025 marked the second cycle, and first update, of this reporting exercise for all seven gatekeepers. All of them duly submitted updated consumer profiling reports and public overviews by the respective deadlines. The submissions were made in March 2025 (by Alphabet, Amazon, Apple, ByteDance, Meta and Microsoft) and in November 2025 (by Booking). Public overviews are available on the gatekeepers’ respective websites⁵⁵.
- (59) The Commission will continue to review the outcomes of the third reporting cycle under Article 15 DMA. Where appropriate, it may also consider providing further clarification, including through possible refinements to the reporting template, in

⁵¹ See Commission Decision C(2025) 7948 final of 18 November 2025.

⁵² For the market investigations into the potential designation of Amazon AWS and Microsoft Azure, see Section II.3 of this report.

⁵³ To assist gatekeepers in complying with Article 15 DMA, the Commission published a template on 12 December 2023 which is available on the DMA website: https://digital-markets-act.ec.europa.eu/legislation_en/templates.

⁵⁴ See the minutes of the fourth meeting of the Data-related obligations sub-group of the HLG, held on 18 November 2024: <https://ec.europa.eu/transparency/expert-groups-register/screen/meetings/consult?lang=en&meetingId=58746&fromExpertGroups=3904>.

⁵⁵ Links can be found on the DMA website: <https://digital-markets-act-cases.ec.europa.eu/reports/consumer-profiling-reports>.

light of the experience gained to date. It will also continue to communicate with the EDPB and the HLG on issues related to Article 15 DMA that may be of interest to European and national authorities, including in the fields of data protection and consumer protection.

VI. COOPERATION BETWEEN THE COMMISSION AND NATIONAL AUTHORITIES

- (60) The DMA recognises the importance of cross-regulatory cooperation between the Commission and national authorities, in particular those with enforcement powers in the digital sector. This is crucial for legal certainty, to avoid fragmentation of the internal market and for the overall coherence and simplification of the broader regulatory duties of digital players.
- (61) The Commission and the national competition authorities (‘NCAs’) continued working together in 2025 within the framework of the European Competition Network. In this regard, the Commission received nine notifications about national cases under Article 38 DMA. Moreover, both the Commission and the NCAs regularly shared relevant information with each other.
- (62) The cases on which the Commission cooperated with the NCAs from a DMA perspective in the course of 2025 included one investigation run by the German NCA against Alphabet, which ended with commitments adopted on 9 April 2025. The case involved Alphabet’s licensing practices regarding Google Automotive Services (which comprises Google Maps, Google Play and Google Assistant) and contractual conditions concerning Google Maps Platform that restricted the combined use of Alphabet’s map services with those from other providers⁵⁶.
- (63) In the context of consumer protection, the Commission closely cooperated with the Italian NCA for their probe into the design of Alphabet’s consent requests. The aim was to ensure that any consent granted by users to having their data combined by Alphabet was given in a free and informed manner, as required by the applicable regulatory framework. In this case, Alphabet offered commitments to the Italian NCA⁵⁷ and, on the basis of the cooperation between the Italian NCA and the Commission, it extended them to the whole of the EU.
- (64) The dialogue and cooperation with competent national authorities was also relevant in the context of the non-compliance case on Meta’s ‘consent or pay’ model under the DMA. On the one hand, the Commission and the Irish Data Protection Commission informed each other regularly about developments in their respective investigations assessing the compliance of the model with the DMA and the GDPR. On the other hand, the Commission also worked closely with the Consumer Protection Cooperation Network, which was running a coordinated action assessing Meta’s ‘consent or pay’ model under consumer protection legislation.
- (65) The NCAs also supported the Commission in its DMA implementation activities in 2025. More specifically, the Belgian, Italian and Dutch NCAs assisted the Commission in DMA investigations by providing dedicated staff. This cooperation is in line with the spirit of Article 38, which allows NCAs to play a role in

⁵⁶ See the press release of the German NCA: https://www.bundeskartellamt.de/SharedDocs/Meldung/EN/Pressemitteilungen/2025/04_09_2025_GAS_GMP.html. Another investigation, run by the same authority against Amazon, was closed on 5 February 2026 with a prohibition decision. See the press release: https://www.bundeskartellamt.de/SharedDocs/Meldung/EN/Pressemitteilungen/2026/26_02_05_Amazon.html.

⁵⁷ See press release of the Italian NCA: <https://agcm.it/media/comunicati-stampa/2025/11/PS12714->.

implementing the DMA by, for example, investigating cases of possible non-compliance with DMA obligations on their territories.

VII. CROSS-REGULATORY COOPERATION

1. Activities of the HLG

- (66) In 2025, the HLG consolidated and expanded its role as a key forum for cross-regulatory cooperation to ensure the coherent and effective implementation of the DMA and other sector-specific rules applicable to gatekeepers. The HLG fostered collaborative dialogue in the community of European digital regulators and made both multilateral and bilateral cooperation between its members easier.
- (67) Against the backdrop of the Commission's overall simplification agenda, and in particular its upcoming digital fitness check⁵⁸, the HLG reflected on its work so far and considered possible ways for it to play a more prominent role in ensuring effective coordination across different regulatory domains and to help develop a more holistic view and approach. This will not only reduce overall complexity and ease the burden on beneficiaries and gatekeepers alike, but also prevent gatekeepers from exploiting one policy to evade another.
- (68) To this end, in 2025 the HLG endorsed a joint paper that mapped out the regulatory interplay related to AI issues⁵⁹ and tasked its sub-group on AI with exploring closer cross-regulatory cooperation between competent authorities on the development and deployment of AI systems by gatekeepers⁶⁰.
- (69) The HLG also adjusted its working methods. For example, the plenary format has been partly opened up so that external guest speakers, such as representatives from civil society, can present different perspectives for the members to consider.

2. Joint guidelines on the interplay between the DMA and the GDPR

- (70) Following discussions in the HLG, the Commission and the EDPB agreed to jointly adopt guidelines on the interplay between the DMA and the GDPR⁶¹. With the aim of gathering feedback on a first draft of the joint guidelines, a public consultation took place between 9 October and 4 December 2025. The Commission and the EDPB intend to adopt the joint guidelines in 2026.
- (71) The goals of the DMA and the GDPR are different but highly complementary. While the DMA addresses unfair practices by gatekeepers towards business users and end users and ensures market contestability in digital services⁶², the GDPR protects natural persons with regard to the processing of personal data and ensures the free movement of personal data in the EU, covering all data controllers and processors⁶³.

⁵⁸ The public consultation and the call for evidence for the digital fitness check took place between 19 November 2025 and 11 March 2026. More information is available here: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/15554-Digital-fitness-check-testing-the-cumulative-impact-of-the-EUs-digital-rules_en.

⁵⁹ See the joint paper from the members of the HLG on Artificial Intelligence: <https://ec.europa.eu/transparency/expert-groups-register/screen/meetings/consult?lang=en&meetingId=67755&fromExpertGroups=3904>.

⁶⁰ See the minutes of the plenary meeting on 12 December 2025: <https://ec.europa.eu/transparency/expert-groups-register/screen/meetings/consult?lang=en&meetingId=67755&fromExpertGroups=3904>.

⁶¹ Article 47 DMA empowers the Commission to adopt guidelines on any aspect of the Regulation to facilitate its effective implementation and enforcement.

⁶² Article 1(1) DMA.

⁶³ Article 1(1) GDPR.

The implementation of the DMA thus creates more room for developers and service providers to innovate, develop and implement data protection and privacy features in line with the principles of data protection by design and by default⁶⁴. At the same time, compliance with the GDPR complements the DMA's objective of addressing gatekeepers' data-driven advantages.

- (72) The joint guidelines are an illustration of the positive outcome that the cooperation between authorities produces in the context of the HLG. They will help gatekeepers and business users to interpret rules where the DMA and GDPR meet⁶⁵, improving legal certainty for businesses in the EU more generally.

VIII. OTHER ACTIVITIES UNDER THE DIGITAL MARKETS ACT

- (73) In addition to all the DMA activities presented in the previous sections, the Commission worked on the review of the DMA and on related international matters.

1. Review of the DMA

- (74) Article 53(1) DMA requires the Commission to evaluate the Regulation by 3 May 2026. In the evaluation, the Commission must assess whether the aims of the DMA – ensuring market contestability and that gatekeepers do not engage in unfair practices – have been achieved, and assess the impact of the DMA on business users, in particular SMEs, and end users.
- (75) To this end, the Commission launched a public consultation on 3 July 2025, with a deadline for feedback of 24 September 2025. It also published a call for evidence and a dedicated questionnaire on AI on 26 August 2025, with a deadline for feedback of 23 September 2025. The results – the submissions and the Commission's summary of the submissions – were published on the DMA website on 8 January 2026⁶⁶. The Commission received a total of 319 contributions to the consultation, 63 responses to the call for evidence and 96 responses to the questionnaire on AI, all representing a wide range of stakeholders, including civil society organisations and industry representatives.
- (76) Under Article 53(2) DMA, the Commission evaluated whether the scope of Article 7 DMA, which refers to the horizontal interoperability of messaging services, may be extended to online social networks. As part of the review of the DMA, a group of technical experts therefore conducted a thorough technical analysis of interoperability. In addition to covering horizontal interoperability (i.e. allowing the connection of users of one online social network with users of another online social network), the analysis also covered vertical interoperability (i.e. third-party service providers offering services on top of an online social network).
- (77) The process of reviewing the DMA was concluded in April 2026⁶⁷ with a report addressed to the European Parliament, the Council and the European Economic and Social Committee.

2. International cooperation

- (78) In June 2025, the European Commission and the High Representative for Foreign

⁶⁴ Article 25 GDPR.

⁶⁵ Note that Article 8(1) DMA states that the gatekeeper must ensure compliance with the DMA and that the measures it implements must also be compliant with applicable law, in particular the GDPR, legislation on cybersecurity, consumer protection and product safety, and accessibility requirements.

⁶⁶ https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en.

⁶⁷ https://digital-markets-act.ec.europa.eu/about-dma/dma-review-qa_en

Affairs and Security Policy adopted the International Digital Strategy for the EU⁶⁸. This strategy focuses on boosting European competitiveness, promoting a digital agenda focused on the security of Europe and its partners, and shaping global digital governance and standards. The Strategy refers to the DMA as a tool to engage with partners countries in a key area of cooperation such as online platforms by promoting the contestability of digital markets, a level playing field and a fair competition between digital players.

- (79) Indeed, the DMA raises interest internationally as a best practice, and the EU actively shared its experiences in enforcing the DMA through international cooperation.
- (80) In the framework of the digital partnership established between the EU and Japan, a cooperation agreement was signed on 23 July 2025 between the Commission and the Japan Fair Trade Commission ('JFTC'), which is in charge of implementing Japan's Mobile Software Competition Act ('MSCA')⁶⁹. The goal of the agreement is to allow the parties to share non-confidential information on the implementation of the DMA and the MSCA, including best practices and experiences. The agreement should also create a framework for expert dialogues and staff training.
- (81) Moreover, the Commission participated alongside other authorities in the 2025 edition of the Global Forum on Digital Competition, organised by the JFTC. During this event, the Commission had the opportunity to exchange ideas with other regulators and enforcement bodies on how to cooperate in digital markets and how to ensure effective compliance with digital regulations⁷⁰.
- (82) Finally, in early February 2025, the Commission hosted a Technical Assistance and Information Exchange workshop on the DMA. The event brought together experts from the EU and partner countries and provided a platform to share the EU's experience in implementing the DMA and supporting fair digital competition⁷¹. The partner countries involved were Albania, Bosnia and Herzegovina, Kosovo⁷², Moldova, Montenegro, North Macedonia, Serbia, Türkiye and Ukraine.

⁶⁸ <https://digital-strategy.ec.europa.eu/en/policies/international-digital-strategy>

⁶⁹ https://digital-markets-act.ec.europa.eu/document/download/19a69296-8b25-4b02-817c-7737f76ce61a_en?filename=Commission_JFTC_Cooperation%20Arrangement.pdf.

⁷⁰ https://www.jftc.go.jp/en/policy_enforcement/digital/index.html.

⁷¹ <https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/90004>.

⁷² *This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.