



TEXTS ADOPTED

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Enforcement of the Digital Markets Act

European Parliament resolution of 30 April 2026 on the enforcement of the Digital Markets Act (2026/2596(RSP))

The European Parliament,

- having regard to 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)¹, in particular Article 53 thereof,
- having regard to the question to the Commission on the enforcement of the Digital Markets Act (O-000016/2026 – B10-0010/2026),
- having regard to the Commission decisions of 6 September 2023, adopted pursuant to Article 3 of Regulation (EU) 2022/1925, designating Alphabet², Amazon³, Apple⁴, ByteDance⁵, Meta⁶ and Microsoft⁷ as gatekeepers in respect of a number of core platform services,

¹ OJ L 265, 12.10.2022, p. 1,
ELI: <http://data.europa.eu/eli/reg/2022/1925/oj>.

² OJ C, C/2023/549, 27.10.2023,
ELI: <http://data.europa.eu/eli/C/2023/549/oj>.

³ OJ C, C/2023/905, 15.11.2023,
ELI: <http://data.europa.eu/eli/C/2023/905/oj>.

⁴ OJ C, C/2025/4646, 14.8.2025,
ELI: <http://data.europa.eu/eli/C/2025/4646/oj>.

⁵ OJ C, C/2023/552, 27.10.2023,
ELI: <http://data.europa.eu/eli/C/2023/552/oj>.

⁶ OJ C, C/2023/1092, 23.11.2023,
ELI: <http://data.europa.eu/eli/C/2023/1092/oj>.

⁷ OJ C, C/2023/551, 27.10.2023,
ELI: <http://data.europa.eu/eli/C/2023/551/oj>.

- having regard to the Commission decision of 29 April 2024⁸, adopted pursuant to Article 3 of Regulation (EU) 2022/1925, designating Apple’s iPadOS operating system as a core platform service,
 - having regard to the Commission decision of 13 May 2024⁹, adopted pursuant to Article 3 of Regulation (EU) 2022/1925, designating Booking.com as a gatekeeper in respect of its online intermediation services,
 - having regard to the Commission decision of 23 April 2025¹⁰, adopted pursuant to Articles 29(1), point (a), 30(1), point (a), and 31(1), point (h), of Regulation (EU) 2022/1925, withdrawing the designation of Meta’s Facebook Marketplace as a core platform service,
 - having regard to the Commission Implementing Regulation (EU) 2023/814 of 14 April 2023 on detailed arrangements for the conduct of certain proceedings by the Commission pursuant to Regulation (EU) 2022/1925 of the European Parliament and of the Council¹¹,
 - having regard to Rules 142(5) and 136(2) of its Rules of Procedure,
- A. whereas the Digital Markets Act (DMA) establishes a harmonised ex ante regulatory framework to ensure fair, open and contestable digital markets throughout the EU, prevent unfair gatekeeper practices, safeguard the integrity and proper functioning of the single market, ensure effective and non-discriminatory application of obligations to all designated gatekeepers, remove barriers to entry, and promote cross-border digital services, innovation, consumer choice and fair competition across the EU;
- B. whereas the DMA aims to deliver real benefits to digital markets, ensuring that business users and end users can effectively exercise their rights under the regulation and that gatekeeper practices no longer create structural barriers to entry or the ability to grow or innovate in the single market, and prevent consumer ‘lock-in’ that discourages consumers from switching to another service;
- C. whereas Parliament exercises democratic scrutiny over the implementation and enforcement of the DMA, in particular through

⁸ OJ C, C/2024/4374, 4.7.2024,
ELI: <http://data.europa.eu/eli/C/2024/4374/oj>.

⁹ OJ C, C/2024/4360, 4.7.2024,
ELI: <http://data.europa.eu/eli/C/2024/4360/oj>.

¹⁰ OJ C, C/2025/3466, 27.6.2025,
ELI: <http://data.europa.eu/eli/C/2025/3466/oj>.

¹¹ OJ L 102, 17.4.2023, p. 6,
ELI: http://data.europa.eu/eli/reg_impl/2023/814/oj.

its Committee on the Internal Market and Consumer Protection (IMCO);

- D. whereas the early implementation of the DMA confirms its importance as a key instrument in improving market openness and fairness, competition and user choice in the EU, and underlines that all businesses operating in the EU, regardless of size or origin, must fully respect and comply with EU law;
- E. whereas the implementation of the DMA is still at an early stage, and it entails challenges regarding timely and effective enforcement, monitoring capacity and the practical effectiveness of certain compliance solutions, notably in view of the complexity of underlying technologies, user interface design and choice architecture;
- F. whereas smaller enterprises, including start-ups and innovative scale-ups, continue to face barriers and unfair obstacles in digital markets, including discriminatory practices and gatekeeper-imposed restrictions, which may impede innovation, limit competition and reduce opportunities for growth and ultimately reduce consumer choice;
- G. whereas information asymmetries between gatekeepers and regulators, as well as limited transparency regarding compliance measures, risk undermining effective supervision, accountability and trust in the enforcement of the DMA;
- H. whereas interoperability, data access, data portability and the prevention of self-preferencing constitute core elements of the DMA and require sustained and rigorous enforcement, including where competitive harm arises from default settings, technical integration or ecosystem effects;
- I. whereas several obligations under the DMA rely on active user choices, including withholding consent, uninstalling pre-installed applications, changing default settings and porting data, making user awareness and interface design central to the effectiveness of the regulation;
- J. whereas tangible results in the creation of fair, open and competitive digital markets have been observed since the DMA came into effect, as consumers are now offered improved and more neutral choice screens when selecting default browsers and applications, including during device set-up and through system settings, and are able to set third-party services as defaults in categories previously limited to pre-installed services;
- K. whereas increased interoperability requirements also expand consumer choice by allowing a wider range of connected and wearable devices and services to function with core platform

services, thereby reducing dependency on pre-installed ecosystems and contributing to greater contestability and consumer autonomy;

- L. whereas the success of the DMA should be assessed not only on the basis of formal compliance, but also on whether its objectives are achieved in practice and perceived as legitimate by end users, business users and the wider public;
- M. whereas the DMA provides for a range of enforcement tools, including regulatory dialogue, market investigations and non-compliance proceedings, to detect, address and impose fines for infringements; whereas effective and proportionate fines are essential to ensure deterrence and safeguard the DMA's effectiveness; whereas technological developments, including AI-driven functionalities and cloud-based services, raise new challenges for contestability and fairness that must be addressed with a timely, uniform and consistent application of DMA provisions;
- N. whereas the rapid development of generative AI systems and AI-driven virtual assistants are significantly reshaping competitive dynamics, market structures, value chains and user access to digital services across the EU, with potential implications for contestability and fairness within digital markets;
- O. whereas the DMA contains several provisions that are relevant to preventing gatekeepers from restricting the ability of emerging AI developers to compete and innovate, including obligations relating to fair and non-discriminatory ranking, transparency in advertising services and access to data;
- P. whereas cloud computing services in some cases increasingly constitute a critical layer of digital ecosystems, including for the development, deployment and scaling of AI applications; whereas high levels of concentration, switching costs, interoperability constraints and dependency risks in certain cloud market segments may raise concerns similar to those addressed by the DMA; whereas an investigation was opened in November 2025 to assess whether Amazon and Microsoft should be designated as gatekeepers for their cloud computing services, Amazon Web Services and Microsoft Azure, and whereas another investigation was opened to assess whether current obligations under the DMA are effective in addressing practices that limit competitiveness or are unfair in the cloud sector; whereas up to now no providers of cloud computing services have been designated as gatekeepers under the regulation;
- Q. whereas access to large-scale computing power, advanced AI models, and data and cloud infrastructure may create new structural dependencies and ecosystem lock-in effects that could limit contestability if not properly addressed under the EU regulatory framework;

- R. whereas adequate institutional capacity, technical expertise and resources within the Commission are indispensable to ensure effective, independent and timely enforcement of the DMA and to preserve its credibility and deterrent effect;
- S. whereas, pursuant to the DMA, the Commission is required to carry out a periodic review of the regulation, providing an opportunity to assess enforcement effectiveness and its benefits for consumers, identify implementation challenges and ensure that the DMA remains fit for purpose in the light of technological and market developments and evolving forms of AI-driven ecosystems;
1. Reaffirms that effective, timely and consistent enforcement of the DMA, as well as the political support of the Commission, is essential to safeguarding the functioning of the single market and to ensuring tangible benefits for consumers, business users and innovators across the EU;
 2. Expresses concern over political pressure from third countries urging the EU to reconsider or weaken the DMA, and underlines that such external interference must not compromise the EU's sovereignty and its autonomy to define and enforce its own rules; stresses that DMA obligations apply equally to all designated gatekeepers providing services in the EU, irrespective of their place of establishment or nationality;
 3. Calls on the Commission to make full and proactive use of all enforcement instruments provided for under the DMA, market investigations, including non-compliance proceedings, inspections, interim measures, fines and periodic penalty payments, in order to prevent circumvention and ensure effective compliance;
 4. Stresses that, while the Commission retains exclusive competence for the enforcement of the DMA, effective, timely and consistent application of the regulation across the EU requires structured and close cooperation with national competition authorities and other relevant national public bodies; underlines that, within the framework established by the DMA, those authorities play an essential supporting role, including by assisting investigations and inspections, contributing to market monitoring and facilitating the exchange of information, thereby reinforcing the effective and uniform enforcement of the DMA and safeguarding fair and contestable digital markets throughout the EU;
 5. Highlights that ensuring market openness, including through the effective application of the DMA, is an essential element of the success of the AI Apply strategy aiming to boost AI adoption and innovation across Europe, as effective contestability in digital markets is a precondition for an open and fair European AI ecosystem;

6. Calls on the Commission to conclude non-compliance proceedings without undue delay and to ensure timely enforcement under the DMA, in particular by respecting both binding and indicative deadlines, and to keep Parliament duly informed of the progress of enforcement; stresses that greater transparency about procedural steps and timelines is needed to enable Parliament, and in particular the IMCO DMA Working Group, to exercise its scrutiny powers; calls on the Commission to proactively and regularly inform Parliament of the state of DMA enforcement, including developments in regulatory dialogue, the activities and agenda of the High-Level Group, relevant studies commissioned by the Commission, and any other information necessary for Parliament to exercise its oversight function;
7. Calls on the Commission to make full use of the High-Level Group; highlights the importance of effective coordination between regulatory authorities in the light of the high number of new rules and regulators active in digital markets;
8. Stresses that compliance with the DMA must be assessed on the basis of its practical and real-world effects on market openness, competition, innovation and user choice, thus ensuring legal certainty, predictability and equal treatment;
9. Calls on the Commission to address information asymmetries by strengthening mechanisms enabling business users and end users to effectively exercise their rights under the DMA, including rights related to choice, data access, interoperability, non-discrimination and freedom from retaliation, through accessible and secure reporting and complaint channels, safeguards against retaliation, and improved awareness of rights and remedies provided for by the DMA, recognising that the DMA's effectiveness depends on empowered end users;
10. Urges the Commission to prioritise rigorous enforcement of interoperability, data access, data portability, anti-steering and anti-self-preferencing obligations, including where competitive harm arises from default settings, technical integrations or the design of platform ecosystems; calls on the Commission, when setting enforcement priorities, to take due account of relevant market developments and the interaction between applicable EU instruments, including the Data Act¹²; notes that, in certain instances, the effective implementation and enforcement of the DMA can be influenced by the gatekeepers' interactions with competitors

¹² Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act), (OJ L, 2023/2854, 22.12.2023, ELI: <http://data.europa.eu/eli/reg/2023/2854/oj>).

and business partners, particularly in situations where concerns about fairness in business practices have been expressed;

11. Calls on the Commission to continue working towards enabling interoperability of messaging services with smaller, third-party messaging apps upon request, allowing users to exchange text, files, and voice/video calls across platforms while maintaining end-to-end encryption;
12. Expresses grave concern regarding Google's persistent self-preferencing practices across its search, shopping, travel and video services, which continue to distort competition and limit consumer choice; notes that Product Listing Ads remain prominently placed at the top of search results, perpetuating a pattern of dominance and a lack of transparency that undermines the intent of the DMA; recalls that preliminary findings under Article 6(5) DMA indicate that Google uses visual advantages and preferential positioning to privilege its own services, including Google Shopping, Flights, and Hotels, thereby restricting fair access for competitors and reinforcing its market power; recalls that recent proceedings before national courts have confirmed that Google's self-preferencing practices in search services harmed competing comparison platforms, as illustrated by the 2025 judgment of the *Idealo v Google* case before the Berlin Regional Court; emphasises that attempts by gatekeepers to maintain or prolong non-compliance with the DMA may consequently expose them to significant financial liability through follow-on actions for damages;
13. Highlights that Google's integration of AI into its search and discovery processes increasingly allows the company to control the entire consumer journey – from search and recommendations to intent to purchase – further marginalising competing services and reducing consumers' ability to make independent choices; emphasises that this dynamic risks turning independent merchants into mere fulfilment channels for Google, echoing earlier attempts to dominate commerce that were previously curtailed, and that without clear safeguards under the DMA, these practices may become further entrenched;
14. Notes the emergence of alternative app marketplaces on iOS in the single market, but expresses concern that their practical viability and scalability remain limited due to user journey design and restrictive economic and contractual conditions; highlights that gatekeepers are restructuring their fees in ways that leave developers worse-off than the pre-DMA status quo; urges the Commission to assess whether Apple's terms and conditions of access are fair and non-discriminatory, as is required under Article 6(12) DMA;

15. Notes that certain gatekeepers, as recently announced by Google for instance, invoke safety and cybersecurity justifications to impose registration and identification requirements on application developers, thereby limiting effective access to alternative application distribution channels in a manner that may conflict with Article 6(4) DMA; calls, therefore, on the Commission to investigate whether the security-related measures invoked are strictly necessary and proportionate, and to ensure that they are not being used as a pretext to circumvent the DMA's objective of enabling genuine third-party software access, ensuring fair, reasonable and non-discriminatory access conditions while safeguarding developers' ability to steer users towards alternative distribution channels;
16. Recalls that, under Article 5(4) DMA, business users should be able to inform end users free of charge of alternative offers and to steer them to those offers and conclude contracts; notes that Recital 40 of the DMA recognises the possibility of remuneration for facilitating the initial acquisition of an end user, while stressing that any such remuneration must be strictly limited to the initial acquisition, proportionate and commensurate, and must not undermine steering in practice; urges the Commission to ensure that Apple's redesigned terms are rigorously assessed against the DMA's requirement for any charges linked to steering and that any attempts at circumvention are closely scrutinised and, if necessary, sanctioned without waiting for the outcome of the ongoing US judiciary process on the *Epic Games v Apple* case; underlines that enforcement of EU law should be pursued independently of third-country litigation;
17. Expresses concern regarding TikTok, operated by ByteDance, and the consent screens deployed on its platform, which rely heavily on behavioural techniques to obtain user consent; notes that such practices may undermine the principles of informed and freely given consent and could constitute a breach of Article 5(2) DMA; stresses that consent mechanisms must be transparent, user-friendly, and genuinely voluntary, without manipulative design or psychological pressure; calls on the Commission to closely monitor TikTok's consent practices and to ensure that any non-compliant mechanisms are promptly corrected to uphold user autonomy and digital rights;
18. Notes the importance of the effective compliance by Microsoft with Article 6(3) DMA, in particular as regards the obligation to allow and technically enable end users to easily change default settings on its Windows PC operating system and access competing services without undue friction; notes that the integration of Bing as the default provider of online search results in the Windows Taskbar and the difficulty of switching may unduly steer users towards Microsoft's own services and limit effective user choice; recalls that Microsoft has submitted compliance measures to the Commission, but expresses concern about their practical effects, including possible barriers to effective interoperability within the Windows

ecosystem; recalls that these measures should continue to be closely assessed by the Commission in order to ensure effective user choice and a fair and contestable environment for third-party providers in practice, in particular where the limited or slow enabling of application programming interfaces (APIs) for non-Microsoft services may prevent third-party developers from being able to deliver a comparable parity of experience to end users;

19. Notes with concern reports from diverse stakeholders in the travel sector of persistently high commission rates and the continued use of practices by Booking.com that appear equivalent to prohibited parity clauses, including performance programmes for hotels based on non-transparent criteria and ongoing difficulties in opting out of Booking.com's sponsored payment systems; recalls that national competition authorities, including those in France and Spain, have sanctioned Booking.com in relation to parity clauses; calls on the Commission to assess the current level of contestability in the online travel sector since Booking.com's designation as a gatekeeper and to take decisive action accordingly;
20. Notes the implementation by Meta of its new third 'pay or consent' option limiting personalised advertising launched in July 2025 following the fine issued by the Commission in April 2025; calls on the Commission to ensure that Meta now genuinely provides a neutral choice for users, that third-party access to Meta's services is fair and unobstructed, and that any circumvention of the DMA's requirements is rigorously scrutinised and, where appropriate, sanctioned;
21. Raises concerns regarding practices on connected TVs replicating the uncompetitive practices previously carried out on smartphones by Android; underlines that access to audiovisual media services on connected TVs must not be controlled by a small number of large technology companies and that an open, fair and contestable market is essential for a pluralistic and diverse media landscape; emphasises, with regard to operating systems for connected TVs, that major providers of such operating systems control access to multisided markets for viewership, advertising and data; notes that similar gatekeeper control over user access points may arise in other connected environments where operating systems or virtual assistants mediate access to services, including in-vehicle infotainment systems; calls on the Commission to monitor this segment of the market carefully and to take appropriate measures where necessary;
22. Highlights the important role of end users in achieving the DMA's objectives and stresses the importance of ensuring that user interfaces, consent mechanisms and choice architectures are neutral, easy to use, comprehensible and non-manipulative, so that users can exercise their rights effectively and without undue friction;

23. Calls on the Commission to ensure consistent and future-proof application of the DMA to technological developments, by addressing AI-driven services and cloud-based infrastructure in a timely way, in order to prevent new forms of lock-in, foreclosure or gatekeeping practices, including where gatekeepers leverage control over data, computing resources or integrated services to the detriment of emerging AI developers and innovative market entrants;
24. Calls on the Commission to ensure complementarity, coherence and legal certainty between the DMA, the Data Act and the Artificial Intelligence Act¹³, including through coordinated guidance and implementation;
25. Welcomes the Commission's first non-compliance decisions under the DMA as an important step towards ensuring effective enforcement, but regrets that these decisions remain limited in scope and do not yet address the full range of problematic gatekeeper practices identified by business users and other stakeholders; further regrets that the fines imposed are relatively modest compared to the scale of the infringements and the economic power of the designated gatekeepers, risking insufficient deterrent effect and failing to reflect the ambition of the regulation; stresses that the overall enforcement framework should ensure that the expected cost of non-compliance, including fines and periodic penalty payments, systematically exceeds the cost of compliance from the outset, so as to prevent strategic delay and ensure genuine deterrence;
26. Calls on the Commission, in the light of the increasing strategic importance of cloud computing services and their role in digital and AI ecosystems, to closely assess whether providers of such services meet the criteria for their designation as gatekeepers under the DMA, including through the use of market investigations; calls on the Commission, when conducting market investigations and assessing possible designations in cloud computing, to apply the DMA's criteria in a consistent, transparent and evidence-based manner across providers where warranted by market indicators, in order to avoid distortions of competition and to preserve innovation; welcomes the Commission's recent market investigations into cloud service providers, such as Amazon Web Services and Microsoft Azure;
27. Stresses that AI-driven search and assistant tools, when offered as or within designated core platform services, such as Google's AI

¹³ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act), (OJ L, 2024/1689, 12.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1689/oj>).

Overviews, Google's Gemini, Apple's Siri, Meta's WhatsApp AI, Amazon's Rufus or Microsoft's Copilot, are increasingly becoming new gateways to information, commerce and digital services; calls on the Commission to examine, in a timely manner, whether and how such functionalities are used by gatekeepers in ways that may undermine contestability and fairness, including through default settings, pre-selection, or the discriminatory presentation or selection of outcomes;

28. Stresses that the integrated digital ecosystems of certain gatekeepers, composed of multiple core platform services and related services, may provide them with a structural competitive advantage in the development, training and deployment of AI systems, in particular where access to large-scale, multi-service data flows, user interfaces, distribution channels or complementary services can be leveraged across ecosystems; underlines, therefore, the need for the rigorous enforcement of Article 6(10) of the DMA, in order to ensure effective data access rights for business users and to prevent the leveraging of ecosystem-wide data advantages in ways that undermine contestability and fairness, including where AI functionalities are integrated into core platform services or may become new gateways to information, commerce and digital services;
29. Calls on the Commission to ensure sufficient human and financial resources for DMA enforcement, in line with the Regulation's scope, complexity and strategic importance, and calls for a significant reinforcement of staffing;
30. Expects that the forthcoming review of the DMA will be transparent and firmly grounded in enforcement experience and evidence from its application, including an assessment of real-world outcomes for users and markets, as well as of the practical impact of implementation on consumers, notably in relation to access to innovation, usability, privacy and security, while taking due account of technological developments and the need to ensure that the framework remains future-proof; invites the Commission to particularly take into account feedback received from SMEs during the review process;
31. Stresses that the review should focus on strengthening the effectiveness and enforceability of the existing framework while addressing challenges posed by rapidly evolving technologies and ecosystems by making full use of the powers available under the current framework, including through clarifications and guidance where necessary, and should avoid reopening the core objectives, scope or architecture of the DMA unless clearly justified by demonstrated enforcement gaps or significant market developments;

32. Stresses that effective enforcement of the DMA requires complementary use of general competition policy and all other EU trade defence and market surveillance instruments, as systemic risks to fairness and economic security can also arise from transactions outside the scope of the DMA; notes, in this context, concerns regarding the acquisition of Ceconomy AG by JD.com, which would transfer control of a major European retail and distribution network to a non-EU entity, raising risks of non-EU state access to sensitive consumer data and potential distortions linked to state-backed financial support; calls on the Commission to apply the Foreign Subsidies Regulation¹⁴ rigorously and to examine any foreign subsidies underpinning both this transaction and future ones; calls on the Commission to assess risks to European consumer data under the Foreign Direct Investment Screening Regulation¹⁵ and to ensure effective data localisation in line with EU data sovereignty and the enforcement framework of the DMA;
33. Instructs its President to forward this resolution to the Commission.

¹⁴ Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market (OJ L 330, 23.12.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2560/oj>).

¹⁵ Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79 I, 21.3.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/452/oj>).