



EUROPEAN COMMISSION

Bruxelles, 7.8.2026
C(2026) 5770 final

His Excellency
Mr George Gerapetritis
Hellenic Minister of Foreign Affairs
5 Vas. Sofias Av. 106 71 Athens
Greece

Subject: Notification 2026/233/GR

Draft provisions on the introduction of an age limit for the use of online social networking services

Delivery of a detailed opinion pursuant to Article 6(2) of Directive (EU) 2015/1535 of 9 September 2015

Excellency,

As part of the notification procedure provided for in Directive (EU) 2015/1535 ⁽¹⁾, the Greek authorities notified to the Commission on 8 May 2026 the draft “*Establishment of an age limit for the use of online social networking services*” (hereinafter referred to as “the notified draft”).

According to the notification message, the notified draft aims at establishing a “*digital age of majority*” rule according to which access to online social networking services should be restricted for minors who have not yet reached the age of 15.

In particular, the notified draft aims to strengthen the protection of minors from the risks associated with the use of online social networking services provided by online platforms, including risks related to mental health, proper psychosocial development, as well as safety, privacy and personal data protection. To that end, the notified draft requires providers of online social networking services to apply “appropriate, proportionate and reliable age verification methods” in order to restrict access by users who have not yet reached the age of 15. The notified draft further provides that providers may supplement the EU age verification solution, which is incorporated in the national “Gov.gr Wallet” application and the “Kids Wallet” application, with age estimation methods when deemed necessary to ensure a high level of privacy, safety and protection of minors.

¹) Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and rules on Information Society services, OJ L 241 dated 17.9.2015, p. 1.

The notified draft also refers to the supervisory and enforcement framework established by Regulation (EU) 2022/2065 (the Digital Services Act, hereinafter “the DSA”) for the supervision of the implementation of the obligations of the notified draft. Under the DSA enforcement framework in Greece, the National Telecommunications and Post Commission (“EETT”) was designated as the digital services coordinator (“DSC”) pursuant to Article 49(2) DSA, while the National Council for Radio and Television and the Personal Data Protection Authority were designated as other competent authorities within the meaning of Article 49(1) DSA. Pursuant to the notified draft, the EETT is also tasked with notifying established or suspected non-compliance with the notified draft by providers of online platforms providing an online social networking service established in Member States other than Greece to the DSC of the Member State of establishment or, where appropriate, to the Commission.

In the context of the notified draft, the Commission services addressed to the Greek authorities a request for supplementary information on 2 June 2026 to obtain clarifications on the measures of the notified draft. The answers provided by the Greek authorities on 12 June 2026 are taken into account in the following assessment.

The examination of the relevant notified provisions led the Commission to issue the following detailed opinion.

1. Introduction

The Commission takes note of the notification message, according to which the notified draft pursues the objective of protecting the health of minors from the risks associated with the design and operation of online networking services.

The Commission shares the objective of the notified draft to protect minors online, in particular against content that may be prejudicial to their health, physical, mental and moral development, such as harmful content. To ensure that minors can use online services safely, providers of online platforms accessible to minors must play their part.

The Commission also notes that the notified draft covers matters within the scope of several pieces of Union legislation, namely Regulation (EU) 2022/2065 (the Digital Services Act, hereinafter “the DSA”) ⁽²⁾ and Directive 2000/31/EC (hereinafter the “Directive on electronic commerce”) ⁽³⁾.

As regards the former, on 14 July 2025, the Commission adopted Guidelines on measures to ensure a high level of privacy, safety and security for minors online, pursuant to Article 28(4) of Regulation (EU) 2022/2065 (hereinafter “the Guidelines”) ⁽⁴⁾. The Guidelines set out a non-exhaustive list of measures that the Commission considers that providers of online platforms accessible to minors should put in place to comply with their obligations under Article 28(1) DSA to ensure a high level of privacy, safety and

²⁾ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC (DSA), OJ L 277, 27.10.2022, p. 1-102.

³⁾ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce), OJ L 178, 17.7.2000, p. 1-16.

⁴⁾ [Commission publishes guidelines on the protection of minors | Shaping Europe’s digital future](#), C(2025) 4764 final.

security for minors on their services. As clarified in paragraph 12 of the Guidelines, the DSCs and competent national authorities may also draw inspiration from the Guidelines to apply and interpret Article 28(1) DSA in respect of providers of online platforms accessible to minors whose main establishment in the Union within the meaning of Article 56(1) of that regulation is in the territory of their Member State.

The Guidelines follow a risk-based approach, recognising that online platforms accessible to minors may pose different types of risks to minors, depending on their nature, size, purpose, and user base and are grounded in an age-appropriate design, as well as on a privacy, safety and security by design approach and on the protection of children's rights. As acknowledged in the Guidelines, the DSA does not oppose national laws prescribing a minimum age to access certain products or services offered and/or displayed in any way on an online platform ⁽⁵⁾. The Commission views the establishment of a minimum age at which the providers of online social networking services may allow access to minors as a worthy objective. Currently, the Special Panel of Experts on Child Safety Online convened by the President of the Commission is discussing ways to protect children online with a view to making recommendations to the President.

In parallel, the Commission has developed a Blueprint for a privacy-preserving EU age verification solution which – once implemented – will allow users to prove that they are over a certain age before accessing the website, without disclosing their exact age or identity and without disclosing their personal data. The Blueprint for this EU age verification solution is technically complete and ready to be implemented by the Member States as a stand-alone application or, where available, via the EU Digital Identity Wallet. The Blueprint for this EU age verification solution will provide a compliance example and an EU-wide reference standard for a device-based method of age verification.

To the extent that some of the provisions of the notified draft are limited to setting a minimum age for accessing online social networking services by minors, they do not conflict with Article 28 DSA, as interpreted by the Guidelines ⁽⁶⁾. However, the notified draft does not limit itself to doing so, but it also introduces provisions that prescribe additional obligations for providers of online platforms providing online social networking services related to age verification, age assessment and provisions that overlap with the supervision and enforcement framework of the DSA. The notified draft also contains obligations applicable to providers of information society services as defined in the Directive on electronic Commerce irrespective of their place of establishment.

2. Detailed opinion

2.1 Assessment in light of the Digital Services Act

a) Applicability of the Digital Services Act

The notified draft falls within the scope of the DSA, for the reasons stated below.

⁵) Section 6.1.3.1, paragraph 37, point (d) of the Guidelines on measures to ensure a high level of privacy, safety and security for minors online, pursuant to Article 28(4) of Regulation (EU) 2022/2065, C(2025) 4764 final, of 14 July 2025.

⁶ (Ibidem.

First, as regards the personal scope of the notified draft, it establishes a minimum age for using online social networking services provided by online platforms and imposes obligations on providers of such online platforms. As confirmed by the Greek authorities in their replies to the request for supplementary information sent by the Commission services, the providers concerned qualify as intermediary services within the meaning of Article 3(g) DSA.

Second, as regards the material scope, in addition to establishing a minimum age to use online social networking services, the notified draft provides for the following:

- The requirement for providers of online platforms providing online social networking services to apply appropriate, proportionate and reliable age-verification methods, including the equivalent EU age verification solution, in order to restrict access to users who have not yet reached the age of 15 (Article 4(1) and 4(3));
- The possibility for providers of online platforms providing online social networking services to supplement age-verification techniques with age-estimation methods when deemed necessary to ensure a high level of privacy, safety and protection of minors (Article 4(4));
- The application of Chapter IV of the DSA for supervision purposes, including EETT as DSC, and the National Council for Radio and Television and the Personal Data Protection Authority as competent authorities (Article 5(1));
- The requirement of EETT to notify any established or suspected non-compliance by an online platform that has its main establishment in another EU Member State, to the DSC of the Member State of establishment, or, where appropriate, to the European Commission (Article 5(2)).

In the notification message, the Greek authorities confirm that the aim of the notified draft is to protect minors, which coincides with the aim of the DSA and, in particular, the obligations applicable to providers of online platforms accessible to minors pursuant to its Article 28.

b) Full harmonisation effect of the DSA

In the first place, the Commission recalls that the DSA aims to contribute to the proper functioning of the internal market for intermediary services by establishing fully harmonised rules for a safe, predictable and reliable online environment. In particular, it establishes a fully harmonised regulatory framework on the rules applicable to the provision of intermediary services in the Union. In this respect, Recital 9 DSA clarifies that “[t]his Regulation fully harmonises the rules applicable to intermediary services in the internal market with the objective of ensuring a safe, predictable and trusted online environment, addressing the dissemination of illegal content online and the societal risks that the dissemination of disinformation or other content may generate, and within which fundamental rights enshrined in the Charter are effectively protected and innovation is facilitated. Accordingly, Member States should not adopt or maintain additional national requirements relating to the matters falling within the scope of this Regulation, unless explicitly provided for in this Regulation, since this would affect the direct and uniform application of the fully harmonised rules applicable to providers of intermediary services in accordance with the objectives of this Regulation [...]”

In the second place, the Commission recalls that the protection of minors, a particularly vulnerable category of recipients of intermediary services, is one of the main policy objectives pursued by the DSA, as clarified in recitals 40, 71 and 81 of that Regulation. More specifically, Article 28(1) DSA requires providers of online platforms accessible to minors to put in place appropriate and proportionate measures to ensure a high level of privacy, safety, and security of minors, on their service. As noted above, the Guidelines describe the measures that the Commission considers that providers of online platforms accessible to minors should put in place to comply with their obligation under that provision. Among those measures, the Commission considers, under certain circumstances, the use of age verification methods by providers of online platforms accessible to minors as an appropriate and proportionate measure to comply with their obligations under Article 28(1) DSA ⁽⁷⁾. The Guidelines also explain the circumstances in which the Commission considers appropriate and proportionate the use of age estimation methods ⁽⁸⁾ and the situations in which those measures could be used to complement age verification measures ⁽⁹⁾.

In addition, the DSA lays down additional obligations applicable to providers of very large online platforms (VLOPs) and of very large online search engines (VLOSEs) in relation to the protection of minors. In particular, such providers must (i) diligently identify, analyse and assess, at least on an annual basis, any systemic risks stemming from the design, functioning or use made of their services, including the dissemination of illegal content, any actual or foreseeable negative effects for the exercise of fundamental rights (including to the respect for the rights of the child and to a high-level of consumer protection) and in relation to serious negative consequences to the person's physical and mental well-being and the protection of minors (Article 34 DSA); and (ii) put in place effective measures to mitigate the identified systemic risks, including those risks in relation to the protection of minors listed above (Article 35 DSA). In this regard, Article 35(1)(j) DSA specifically refers to age verification systems as an example of effective and targeted measures to protect children's rights for the purposes of mitigating the identified systemic risks.

While the DSA does not prescribe a minimum age to access certain products or services, other Union or national legal acts, in compliance with Union law, may prescribe a minimum age to access certain products or services offered and/or displayed in any way on an online platform, including specifically defined categories of online social media services ⁽¹⁰⁾. In such cases, and in accordance with the Guidelines, the use of access restrictions supported by age verification methods is indeed, in the view of the Commission, an appropriate and proportionate measure for providers of such services to put in place to ensure a high level of privacy, safety and security of minors pursuant to Article 28(1) DSA ⁽¹¹⁾. The Guidelines also set out the features of age verification solutions that providers of online platforms accessible to minors should take into consideration before deploying an age verification solution on their services so as to ensure that they comply with the appropriateness and proportionality requirements of

⁷) Paragraph 37 of the Guidelines on protection of minors, C/2025/5519.

⁸) Section 6.1.3.3 of the of the Guidelines on protection of minors, C/2025/5519.

⁹) Paragraph 38 of the Guidelines on protection of minors, C/2025/5519.

¹⁰) Paragraph 37(d) of the Guidelines on protection of minors, C/2025/5519.

¹¹) Paragraph 37(d) of the Guidelines on protection of minors, C/2025/5519.

Article 28(1) DSA ⁽¹²⁾. Finally, while adoption and implementation by providers of online platforms accessible to minors of the measures set out in the Guidelines does not automatically entail compliance with Article 28(1) DSA, by adopting those Guidelines the Commission has declared that it will apply those parameters when determining compliance with that provision. As such, the Guidelines may be considered a ‘significant and meaningful benchmark’ on which the Commission bases itself when applying Article 28(1) DSA, and from which DSCs and competent national authorities may also draw inspiration ⁽¹³⁾.

In view of the foregoing, Article 28(1) DSA does not preclude legislative action by Member States limited to the establishment of a minimum age to access certain products or services offered on an online platform accessible to minors. Any such national law has to be in compliance with Union law, including the DSA.

That being said, Article 28(1) DSA fully harmonises obligations on providers of online platforms accessible to minors in order to ensure a high level of privacy, safety and security of minors on their service. As far as providers of VLOPs and VLOSEs are concerned, Articles 34 and 35 DSA lay down fully harmonised rules on their obligations concerning risk assessment and risk mitigation, as described above.

In this regard, the Commission considers that the notified draft goes beyond the mere establishment of a minimum age to access certain services offered and/or displayed on online social networking services. In particular, Article 4(3) of the notified draft imposes on providers of online platforms providing online social networking services to apply “*appropriate, proportionate and reliable age verification methods, including the equivalent EU age verification solution*”. As indicated in the notification message, the provisions place “*a burden on providers [of online social networking services], in particular with regard to the development or integration of appropriate age verification or age assessment mechanisms*”. Furthermore, Article 4(4) of the notified draft gives the possibility to providers in scope “*to supplement age verification techniques with age estimation methods when deemed necessary to ensure a high level of privacy, safety and protection of minors*”.

Article 28(1) DSA harmonises the obligations applicable to providers of online platforms accessible to minors, requiring them to put in place age verification measures, age estimation or other age methods depending on the circumstances. Thus, Article 4(3) of the notified draft encroaches upon that provision insofar as it requires providers to apply age verification methods, thereby adding national requirements relating to matters falling within the scope of the DSA. Article 4(4) of the notified draft is even more explicit in its overlap with Article 28(1) DSA. As indicated in the notification message, the provisions place “*a burden on providers [of online social networking services], in particular with regard to the development or integration of appropriate age verification or age assessment mechanisms*”.

As indicated above, Article 28(1) DSA already requires providers of online platforms accessible to minors to put in place appropriate and proportionate measures to ensure a high level of privacy, safety and security of minors, on their service. To this extent, the European Union has exercised its shared competence in this field, which, according to

¹² () Paragraph 49 of the Guidelines on protection of minors, C/2025/5519.

¹³ () Paragraph 12 of the Guidelines on protection of minors, C/2025/5519.

Article 2(2) TFEU, precludes any legislative action by the Member States. As developed by the Guidelines, the measures referred to in Article 28(1) DSA include different age assurance measures, in particular, depending on the risks posed by the service for minors, age verification methods and age estimation methods. In as much as age estimation methods are considered as appropriate and proportionate measures in certain circumstances, this obligation on providers is already contained in Article 28(1) DSA and therefore excludes such obligations under national law. The Commission therefore considers that the obligations for providers of online platforms to implement certain measures to ensure age verification and age estimation, are exhaustively regulated by the DSA. The fact that, according to the notification message, the age verification and age assessment provisions are technologically neutral, offer a degree of flexibility to providers in terms of compliance and allow for a transitional period until 1 January 2027, does not alter the Commission's assessment in this regard.

c) Monitoring and enforcement system

In order to ensure that the DSA is fully effective in the pursuit of our shared objectives, in particular the protection of minors, it is essential to preserve the harmonising effect of the DSA, also as regards the supervision and enforcement framework.

First, in accordance with Chapter IV of the DSA, the supervision and enforcement of the DSA are based on close cooperation between, on the one hand, the DSC (and other competent authorities) of the Member State in which the provider of the service in question is established within the meaning of Article 56(1) DSA and, on the other hand, these national authorities and the Commission (Articles 56 to 58 DSA) in relation to the enforcement and supervision of the services as VLOPs and VLOSEs.

Article 5(1) of the notified draft provides that Chapter IV of the DSA applies “*for the supervision of the implementation of the obligations*” of the notified draft. This has been confirmed by the Greek authorities in their replies to the request for supplementary information sent by the Commission services. However, the enforcement structure of Chapter IV of the DSA was specifically established to ensure the proper implementation of the DSA, including rules for the enforcement of the DSA by the Commission and a sophisticated infrastructure for the collaboration of DSCs in the enforcement of the rules laid down in the DSA. To use this enforcement structure for the enforcement of other provisions under national law, let alone provisions that contradict the DSA, would defy their purpose as fully harmonised enforcement rules specifically for the DSA. Second, Article 5(2) of the notified draft foresees that EETT notifies any established or suspected breach of the provisions of the notified draft by online platforms providing an online social networking service established in Member States other than Greece or countries outside the Union to the authorities competent to enforce the DSA. In this respect, and as mentioned already above, Chapter IV of the DSA fully harmonises the rules concerning the cooperation between DSCs as well as between the DSCs and the Commission. Therefore, the Commission considers that Article 5(2) of the notified draft overlaps with the fully harmonised rules under Chapter IV of the DSA, and in particular its Articles 56 and 58. Moreover, and independently of the above, such cooperation could not go beyond the rules laid down in the DSA and under the conditions set out therein and could not be interpreted in such a way that would impose additional obligations on providers of intermediary services.

2.2. Assessment in the light of the Directive on electronic commerce

a) Applicability of the Directive on electronic commerce

Certain provisions of the notified draft, specifically Articles 4 and 5 thereof, fall within the scope of the Directive on electronic commerce.

Firstly, concerning the personal scope of application of the notified draft, Article 4(3) imposes obligations on providers of online platforms providing online social networking services to put in place “*appropriate, proportionate and reliable age verification*” measures to identify the age of a user in order to restrict access to those who have not yet reached the age of 15.

It follows from the provisions above that the notified draft imposes obligations on providers of information society services ⁽¹⁴⁾ within the meaning of Article 1(1)(b) of Directive (EU) 2015/1535 and thus also within the scope of Articles 1 and 2 of the Directive on electronic commerce, insofar as they fulfil the conditions set out therein. This was confirmed by the Greek authorities in their reply to the request for supplementary information sent by the Commission services.

Secondly, concerning the material scope of application of the notified draft, it sets out the requirements applicable to providers of information society services to ensure that minors are prevented from accessing online social networking services. In particular, under Article 4(3) of the notified draft, these providers of information society services would be required to put in place “*appropriate, proportionate and reliable age verification methods*” in order to restrict access to minors under the age of 15.

According to Article 2(h) and (i) of the Directive on electronic commerce, the coordinated field concerns requirements with which the service provider has to comply in respect of *inter alia* the pursuit of the activity of an information society service, such as requirements concerning the behaviour of the service provider.

In this regard, the Commission would like to note that the scope of the coordinated field as set out in Article 2(h) of the Directive on electronic commerce is not to be restricted to the harmonised areas of that Directive ⁽¹⁵⁾. More particularly, the coordinated field covers all the requirements, be it in the form of ‘access requirements’ or of ‘exercise requirements’ ⁽¹⁶⁾, laid down by the national legal systems applicable to information society services or providers of information society services, that is to say, the law applicable to a service provider for its ‘online’ activity.

Moreover, the coordinated field also covers requirements for the provider of an information society service to set conditions for access to its service, by means of an obligation to provide information. In particular, the Court has recently ruled that “[a] *mechanism for checking the age of users of an information society service allowing*

¹⁴() In particular, “any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services”.

¹⁵() Judgment of 16 June 2026 in Joined Cases C-188/24 and C-190/24, *WebGroup Czech Republic and Others*, ECLI:EU:C:2026:492, para. 56.

¹⁶() These expressions stem from the Opinion of Advocate General M. Szpunar delivered on 11 January 2024 in Cases C-662/22 to C-667/22, *Airbnb Ireland UC e.a.*, ECLI:EU:C:2024:18, paragraph 143.

access to pornographic content is intended to set the conditions for access to that service by those users.”⁽¹⁷⁾

The obligations of the notified draft would indeed establish requirements for the pursuit of the activity of an information society service with which the service providers have to comply and, therefore, fall within the coordinated field of the Directive on electronic commerce, as set out in Article 2(h) and (i) thereof, and have therefore been analysed in the light of this Directive.

b) Article 3(1), (2) and (4) of the Directive on electronic commerce

The Commission notes that the notified draft does not distinguish between providers established in Greece and providers established in other Member States. This has also been confirmed by the Greek authorities in their reply to the request for supplementary information sent by the Commission services, according to which *“the notified draft is intended to apply to providers of online social networking services offering services to users located in Greece, irrespective of the Member State in which such providers are established.”*

Accordingly, the provisions of the notified draft apply to providers of information society services offering their services to users located in Greece, irrespective of their Member State of establishment.

In this regard, the Commission recalls that Article 3(1) and (2) of the Directive on electronic commerce establishes the principle of control by the country of origin according to which information society services must be regulated at the source of the activity. They are therefore, as a general rule, subject to the law of the Member State in which the providers of these services are established.

Article 3(4) of the Directive on electronic commerce lays down the circumstances and procedures under which a Member State of destination, i.e. the Member State in which information society services are provided by a provider established in another Member State, may derogate from the home state control principle where necessary, for the reasons exhaustively listed in Article 3(4)(a) of the Directive and in compliance with the substantive and procedural requirements set out in its Article 3(4)(a) and (b).

The Commission draws the attention of the Greek authorities to the case law of the Court of Justice, which recalls the limits of the scope of Article 3(4) of the Directive on electronic commerce in that regard. According to that case law, measures of general and abstract application that are not limited to a given information society service cannot benefit from the exemption provided for in Article 3(4) of the Directive on electronic commerce⁽¹⁸⁾. It also follows from the case-law that Article 3(4)(a) of the

¹⁷() Judgment of 16 June 2026 in Joined Cases C-188/24, C-190/24, *WebGroup Czech Republic and Others*, ECLI:EU:C:2026:492, paragraph 68.

¹⁸() Judgment of 9 November 2023 in Case C-376/22, ECLI:EU:C:2023:835, paragraphs 59 and 60:
“59. On the contrary, the consequence of such an interpretation is that Member States are not, as a matter of principle, authorised to adopt such measures, so that verification that those measures are necessary to satisfy overriding reasons in the general interest is not even required.
60. Having regard to all the foregoing considerations, the answer to the first question must be that Article 3(4) of Directive 2000/31 must be interpreted as meaning that general and abstract measures aimed at a given category of information society services described in general terms and applying indiscriminately to any provider of that category of services do not fall within the concept of ‘measures taken against a given information society service’ within the meaning of that provision.”

Directive on electronic commerce does not preclude a Member State from being able to adopt legal provisions on the basis of which an individual measure can be served on providers of an information society service⁽¹⁹⁾. In light of their individualised nature, such measures can be classified as measures taken against a given information society service which prejudice the objectives referred to in Article 3(4)(a)(i) of the Directive on electronic commerce or present a serious and grave risk of prejudice to those objectives, within the meaning of that provision.⁽²⁰⁾.

The Commission takes note of the replies by the Greek authorities to the request for supplementary information sent by the Commission services, where they indicated that the notified draft merely establishes a “*minimum age requirement for access to online social networking services*” and “*does not seek to establish a parallel national regime for information society services or to derogate from the country-of-origin principle*” laid down in the Directive on electronic commerce.

Based on the information made available to the Commission, the obligations that the notified draft would impose appear to constitute general and abstract measures that would apply indiscriminately to domestic and foreign providers of information society services allowing access to online social networking services from the territory of Greece. In particular, and as described above, the requirement for providers of online social networking services to put in place appropriate, proportionate and reliable age verification methods constitutes such a measure of general and abstract application, given that the measure would still apply indiscriminately to domestic and foreign providers. For the reasons stated above, the Commission delivers a detailed opinion pursuant to Article 6(2) of Directive (EU) 2015/1535.

The Commission would remind the Greek authorities that, under the terms of Article 6(2) of Directive (EU) 2015/1535, the delivery of a detailed opinion obliges the Member State that has drawn up the draft technical regulation concerned, to postpone its adoption for four months from the date of its notification.

This standstill period therefore comes to an end on 11 September 2026.

Furthermore, the Commission draws the attention of the Greek authorities to the fact that, under the above-mentioned provision, the addressee of a detailed opinion is obliged to inform the Commission of the action that it intends to take as a result of the opinion.

Should your Government not comply with the obligations provided in Directive (EU) 2015/1535 or should the text of the draft technical regulation under consideration be adopted without account being taken of the above-mentioned objections, or be otherwise in breach of EU law, the Commission may commence proceedings pursuant to Article 258 TFEU.

See also Judgment of 30 May 2024 in joint cases *Airbnb Ireland UC and Amazon Services Europe Sàrl v Autorità per le Garanzie nelle Comunicazioni*, C-662/22 and C-667/22, EU:C:2024:432, paragraph 70.

¹⁹() Judgement of 16 June 2026 in Joined Cases C-188/24 and C-190/24, *WebGroup Czech Republic and Others*, ECLI:EU:C:2026:492, paragraph 87; and Judgement of 27 February 2025 in Case C-517/23, *Apothekerkammer Nordrhein v DocMorris*, ECLI:EU:C:2025:122, paragraph 80.

²⁰() Judgement of 16 June 2026 in Joined Cases C-188/24 and C-190/24, *WebGroup Czech Republic and Others*, ECLI:EU:C:2026:492, paragraph 87. These remarks on the existing case-law are without prejudice to the Commission’s assessment on the compatibility of any such measure with the DSA.

The Commission furthermore recalls that once the definitive text has been adopted, it must be communicated to the Commission in accordance with Article 5(3) of Directive (EU) 2015/1535.

Yours faithfully,

For the Commission

Ekaterina Zaharieva
Executive Vice-President