

NEWS – ECIPE PRESS RELEASE – NEW POLICY BRIEF

Europe's Digital Markets Act Under Review: Ways to Make it More Pragmatic, Proportional, and Predictable

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Brussels, 22 April 2026 - The review of the Digital Markets Act (DMA), due on May 3, 2026, comes at a critical juncture. Three years after its entry into force, the review highlights a significant shift in EU competition policy – one that is less focused on economic effects and competition and that it is designed to enforce a regulation with a set of pre-defined rules.

However, a central argument in ECIPE's [new Policy Brief](#) is that there is a growing gap between the DMA's stated objectives and its real-world outcomes. While some targeted interventions have improved specific user experiences, they have also introduced frictions, particularly in terms of convenience for platform users, and in some cases delayed the rollout of services to EU users.

Importantly, compliance costs have increased significantly, not only for designated gatekeepers but across the wider digital ecosystem, while tensions have emerged with other EU regulatory frameworks, including data protection and cybersecurity rules. Moreover, there is limited evidence that the DMA has meaningfully reshaped competitive dynamics in digital markets.

Worryingly, the DMA has changed though its enforcement. Enforcement practices are increasingly shaping not only market behaviour but now behaves as a regulation of product design, pricing structures, and platform architecture. In practice, the Commission has increasingly adopted more rigid interpretations that favours a specific design model, allowing limited scope for justified restrictions, including those related to platform integrity, cybersecurity, or user protection.

"The European Commission is making the DMA more programmatic and more rigid than it was designed to be. It increasingly demands actions that collide with other key

European policies on cybersecurity and data privacy, and the Commission's choices of enforcement instruments increasingly turn the DMA into a product design and even price regulation", says Fredrik Erixon, co-author of the study.

This reflects a broader shift from regulating conduct to de facto design regulation. The evolving interpretation of interoperability obligations illustrates these tensions particularly clearly. While intended to promote contestability, interoperability requirements are increasingly applied in ways that risk overlooking important trade-offs between competition, privacy, and security.

EU policymakers should change enforcement practices to ensure that the DMA remains fit for purpose in rapidly evolving digital markets. Its enforcement should be more closely aligned with its original objectives and promote predictable, proportionate, and pragmatic approaches.

This new ECIPE policy brief recommends that the European Commission and other institutions:

- Clarify the DMA's core objectives to prevent regulatory drift.
- Establish clearer and more consistent evidentiary standards.
- Apply interoperability obligations proportionately, considering security, privacy, and technical feasibility.
- Improve coordination with adjacent regulatory frameworks.
- Ensure any expansion into new sectors is grounded in clear competition-based evidence.

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