

**Priority question for written answer P-002649/2024
to the Commission**
Rule 144
Andreas Schwab (PPE)

Subject: AI and the implementation of the Digital Markets Act

During her confirmation hearing as Commission Executive Vice-President-designate for Tech Sovereignty, Security and Democracy, Henna Virkkunen emphasised the importance of avoiding monopolies in the digital sector. There are growing concerns about how gatekeepers are leveraging their privileged access to AI's essential inputs (data, computing infrastructure, the cloud, talent, etc.) and deploying a series of unfair competitive practices to quickly capture the AI market (exclusivity clauses, tying or bundling, refusal to supply, self-preferencing).

Although AI itself is not listed as a core platform service under the Digital Markets Act¹ (DMA), it can be relevant when an AI provider is qualified as a gatekeeper, or AI functionalities are embedded in existing core platform services, and thus give rise to obligations under the DMA – for example, when AI is embedded within search engines, operating systems or social networking services.

Taking into account the rapid development of AI technologies and their potential impacts, there is an urgent need to ensure that competition is not negatively affected.

1. In light of this situation, how will the Commission ensure fair competition in digital markets in a way that also covers generative AI, thus preventing gatekeepers from exploiting their dominance to control emerging innovative services?
2. Is the Commission considering adding generative AI as a core platform service via its market investigation mechanism?

Submitted: 25.11.2024

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