(English version)

Question for written answer E-001293/25
to the Commission
Kathleen Van Brempt (S&D)
(27 March 2025)

Subject: The case of Telegram and the methodology for determining VLOPs under the DSA

Telegram is not classified as a very large online platform (VLOP) under the Digital Services Act ([1]) (DSA), despite independent research suggesting that it has more than 45 million users in the EU — a user threshold that means it should be designated as a VLOP. Official figures report fewer than 45 million EU users, but given Telegram's significant role in online discourse and its widespread use, concerns have arisen about the accuracy of these figures.

1. Could the Commission clarify the methodology used to determine the size of Telegram's EU user base, and explain why it has not been designated as a VLOP?

2. If further evidence indicates that Telegram's EU users exceed the 45 million user threshold, what steps will be taken to reassess its classification?

3. Given the implications for platform accountability and regulatory oversight, how does the Commission ensure that platforms operating at a similar scale are treated consistently under the DSA?

Submitted: 27.3.2025

Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(19 May 2025)

Pursuant to Article 33 of the Digital Services Act (DSA) ([2]), the Commission may designate online platforms as very large online platforms (VLOP) and very large search engines (VLOSES) when they have a number of average monthly active recipients (AMAR) in the EU equal to or exceeding 45 million.

According to Telegram, its overall service had fewer than 45 million AMAR as of February 2025, which is below the designation threshold ([3]).

The responsibility to calculate AMAR, notably to comply with the publication obligation under Article 24(3) of the DSA, rests on the provider of the service ([4]). When calculating AMAR, the provider shall consider all relevant provisions, including Recital 77 DSA on the AMAR notion.

The Commission is actively monitoring Telegram's methodology and numbers, market trends and is in contact with interested stakeholders and authorities, particularly the Belgian Digital Services Coordinator (DSC) ([5]) which is competent for supervising Telegram's compliance with the DSA as Telegram's designated legal representative is in Belgium ([6]). The Commission will be attentive to the updated AMAR related information that Telegram must publish in August 2025 as well as any other information available to the Commission and decide on the appropriate course of action ([7]).

Under the DSA, VLOPs and VLOSEs have more stringent rules to comply with than other platforms which do not reach the 45 million threshold and have not been designated as VLOPs and VLOSEs ([8]). The Commission enforces the DSA in a diligent and non-discriminatorily manner. Finally, the Commission works closely with Member States, both bilaterally and in the European Board for Digital Services, to ensure a consistent and efficient DSA implementation.

([1]) Regulation (EU) 2022/2065 of 19 October 2022 on a Single Market For Digital Services, OJ L 277, 27.10.2022, p. 1, ELI: http://data.europa.eu/eli/reg/2022/2065/oj.
([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 (Digital Services Act), OJ L 277, 27.10.2022, p. 1-102.
([3]) https://telegram.org/tos/eu-dsa.
([4]) The Commission may adopt a delegated act for the calculation of AMAR pursuant to Article 24(2) DSA. However, this has not been the case to date.
([5]) More information on the role of Digital Services Coordinators can be found on: https://digital-strategy.ec.europa.eu/en/policies/dsa-dscs.
([6]) Pursuant to Article 3(n) DSA, the Digital Services Coordinator of establishment encompasses the Digital Services Coordinator of the Member State where the legal representative of the provider of an intermediary service is established.
([7]) Pursuant to Article 33(4) DSA, the Commission may designate a service, on the basis of self-reported data or information requested pursuant to Article 24(3) DSA or any other information available to the Commission.
([8]) More information on the obligations applicable to VLOPs and VLOSEs can be found on: https://digital-strategy.ec.europa.eu/en/policies/dsa-vlops.