

(English version)

**Priority question for written answer P-001777/26
to the Commission
Laura Ballarín Cereza (S&D)
(30 April 2026)**

Subject: Opposition groups in Spain blocking implementation of the Digital Services Act

Article 49 of the Digital Services Act (DSA) establishes the role of Digital Services Coordinator (DSC), and requires each Member State to designate an independent national authority responsible for the supervision and enforcement of the DSA.

In May 2025, the Commission referred Spain, Czechia, Cyprus, Poland and Portugal to the Court of Justice of the European Union for failing to designate or empower a Digital Services Coordinator and to lay down penalties applicable to infringements under the regulation.

On 14 April 2026, the Spanish Government submitted for the third time a draft law to empower the Spanish National Markets and Competition Commission (Comisión Nacional de los Mercados y la Competencia) to act as Spain's Digital Services Coordinator. However, the opposition groups — the EPP (PP) and PñE (VOX) — voted against it, blocking the approval. This has led to an unprecedented situation in which, despite the efforts of the Spanish Government, implementation of the EU digital framework has been brought to a standstill because of the opposition.

In view of the above:

1. What measures could the Commission take to ensure that Article 49 of the DSA is enforced?
2. Does it intend to work or engage in dialogue with the Spanish Government to resolve this situation?

Submitted: 30.4.2026

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(10 June 2026)**

Article 49(1) of the Digital Services Act (DSA) ⁽¹⁾ mandates Member States to, by 17 February 2024, appoint a Digital Service Coordinator (DSC) responsible for the supervision of providers of intermediary services and enforcement of the regulation in that Member State.

Pursuant to Articles 51 and 52 DSA, Member States are also required to empower their DSCs for the exercise of their investigation and enforcement powers and lay down the rules applicable to infringements.

The Commission is using the instruments provided by the Treaties to ensure proper application of EU law in all Member States.

While Spain has designated the *Comisión Nacional de los Mercados y la Competencia (CNMC)* as DSC and therefore the Commission has not referred Spain for a failure to fulfil its obligations under Article 49 DSA, the measures necessary to empower it have not yet been adopted.

The Commission has therefore referred Spain to the Court of Justice under Article 258 of the Treaty on the Functioning of the European Union — Case C-841/25 ⁽²⁾, for a failure to fulfil its obligations under Articles 51 and 52 DSA ⁽³⁾.

The Commission is in contact with the Spanish authorities to support compliance and stand ready to provide assistance, while fully respecting national parliamentary proceedings, positions of political groups and democratic processes in all Member States.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022R2065>.

⁽²⁾ https://infocuria.curia.europa.eu/tabs/affair?sort=AFF_NUM-DESC&searchTerm=%22C-841%2F25%22&publishedId=C-841%2F25.

⁽³⁾ [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=fr&langCode=EN&version=v1&typeOfSearch=byDecision&infringementType=REG&dg=CNECT&memberState=ES&page=1&size=10&order=desc&sortColumns=decisionDate&refId=INFR\(2024\)2165](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=fr&langCode=EN&version=v1&typeOfSearch=byDecision&infringementType=REG&dg=CNECT&memberState=ES&page=1&size=10&order=desc&sortColumns=decisionDate&refId=INFR(2024)2165).