SVENSKT NÄRINGSLIV
SWEDISH ENTERPRISE

Stockholm 24 September 2025

Contribution to the consultation on the review of the DMA

Thank you for the opportunity to provide feedback on the review of the Digital Markets Act (DMA). The Confederation of Swedish Enterprise represents more than 60,000 companies operating in various industries and of varying sizes. With this response, we aim to share our observations since the regulation entered into force in March 2024. We note that the regulation has not been in force for long, which affects the conclusions that can be drawn regarding its effectiveness and its ability to create well-functioning digital markets.

Limited Effects for Business Users

Despite the DMA's aim to create fairer and more open digital markets, we have so far seen limited improvements for business users:

- Some companies report that they have not noticed any concrete changes in their relationship with gatekeepers.
- Some companies have noted several updated contractual terms but have not reflected further on these updates, instead accepting the new terms to continue using the service.
- Some believe that gatekeepers have modified their methods to maintain their dominance, for example, through technical solutions, new business models, or contractual terms that, in practice, hinder competition.
- Among those who have noted changes following the DMA's entry into force, there is a demand for clear guidance on how business users can exercise their rights under the DMA, particularly in areas such as data access, interoperability, and anti-steering.
- Companies have also emphasized the need for clarity on whom business users can approach to exercise their rights, for example when requesting data access.

The application of the DMA is still at a relatively early stage. It is therefore not surprising that in some areas there is no evidence that the changes implemented have led to increased competition or better conditions for smaller players.

Confederation of Swedish Enterprise
Address: SE-114 82 Stockholm Visitors: Storgatan 19 Phone: +46 (0)8 553 430 00
swedishenterprise.se

Uncertainty and Resistance from Gatekeepers

We note that several gatekeepers have expressed that:

- It is unclear what is expected of them, particularly regarding the interpretation of certain provisions of the regulation and the obligations imposed on them in practice. The goals have sometimes been perceived as moving targets, with new requirements introduced once the initial ones were met.
- The Commission's application of certain rules is perceived as more far-reaching than reasonable, undermining legal certainty and delaying full compliance.
- The Commission does not sufficiently consider how other legal frameworks that are applicable to each core platform service, particularly with regards to security and data protection, may affect the application of the various obligations in the DMA.

Recommendations

For the DMA to have a real impact on smaller business users, we propose the following:

- That the Commission continues to actively and fully apply the regulation, which we see as crucial to achieving its purpose.
- That the Commission clarifies business users' rights and how these can be exercised, preferably through practical guidelines and examples.
- That, in addition to the regulatory dialogue, structured dialogues are established directly with business users, enabling smaller players to more easily report obstacles, share experiences, and suggest improvements.
- There is no one-size-fits-all solution regarding the application of the various prohibitions and obligations in the DMA. It is therefore important that the Commission considers the significant differences between different core platform services to ensure that the regulation achieves its purpose of strengthening competition and innovation.

We see the DMA as an important step towards a fairer digital economy, and we hope that the Commission takes this feedback into account in the continued development and implementation of the regulatory framework.

Kind regards,

Confederation of Swedish Enterprise
Business Policy and Law division

Stefan Sagebro Carola Ekblad