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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(17.2.2025)

The Commission emphasises that the assessment of the appropriate qualification under the Digital Services Act (DSA)¹ applicable to the different groups available on Telegram should be made in accordance with the relevant provisions of the DSA, in particular its Articles 2 (Scope) and 3 (Definitions) as clarified in Recitals 5, 6, 13, 15 and 29. Pursuant to Article 13 of the DSA, Telegram has appointed its legal representative in Belgium. Therefore, the Belgian Digital Services Coordinator is competent for the supervision of Telegram under the DSA. While Telegram is not designated as a very large online platform, it needs to abide by the DSA rules that are applicable to its services.

In accordance with Article 33 of the DSA, the Commission designates online platforms and online search engines as ‘very large online platforms’ and ‘very large online search engines’ when they surpass 45 million average monthly active recipients in the EU. The DSA further obliges providers to publish the latest user numbers for their services every six months. The Commission monitors the market and looks closely into platforms that show a growing trend of users in the EU. Articles 5 (Caching) and 6 (Hosting) of the DSA are irrelevant for the purpose of determining whether a platform could be designated as a ‘very large online platform’ or a ‘very large search engine’.

The Commission wishes to underline that, without prejudice to the Commission’s role as guardian of the Treaties, Member States have the primary responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for enforcement. The Commission is closely cooperating with the Digital Services Coordinators in this regard.

¹ 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).