The Commission is committed to ensure that digital intermediaries (including social media platforms) compete fairly, operate in a manner that does not negatively affect the well-being of European citizens and respect our democratic values.

The Digital Markets Act and Digital Services Act, on which political agreement was recently reached, are pivotal instruments in this context. They will allow alternative social media platforms to compete fairly with their larger counterparts, while ensuring that their services are safe and respect fundamental rights and freedoms.

In addition, all companies that operate in the internal market have to comply with the EU data protection rules, in particular the General Data Protection Regulation (GDPR). Where they transfer personal data to third countries, this includes compliance with the rules on international transfers, for example by putting in place a (contractual) transfer tool that provides for appropriate data protection safeguards and enforceable rights for individuals. Moreover, on 25 March 2022 the Commission and US government announced an agreement in principle on a new framework for transatlantic data flows, to replace the ‘Privacy Shield’ that was declared invalid by the Court of Justice of the European Union. The monitoring and enforcement of compliance with EU data protection rules by companies operating in the EU falls as a matter of principle within the competence of national data protection authorities and courts.

2 Case C-311/18, Data Protection Commissioner v Facebook Ireland Limited and Maximillian Schrems (“Schrems II”), 16 July 2020.