

**Question for written answer E-000958/2023  
to the Commission**  
Rule 138  
**Krzysztof Hetman (PPE)**

Subject: Abuses of position by dominant market undertakings

Pursuant to Articles 101 to 109 TFEU and Protocol No 27 on the internal market and competition, a system of undistorted competition is an integral part of the internal market. The Treaty prohibits, inter alia, abuse of market position by dominant undertakings.

European undertakings have the right to submit complaints about unfair treatment, and Commission Regulation 773/2004 regulates the issue of rejection of complaints by the Commission.

Unfortunately, a negative trend can be observed whereby an increasing number of complaints which undertakings address to the Commission remain without substantive examination, which may raise legitimate concerns among undertakings operating in the common market.

In light of the above:

1. What other means, apart from the possibility of lodging a complaint, does the Commission offer to protect smaller operators from abuse of position by dominant market undertakings?
2. Is the Commission planning to take new initiatives, including legislative initiatives, in the near future to better implement the principle of competition in the internal market?
3. In particular, does the Commission see a need to clarify the requirements and criteria to be met by claims raised by a dominant undertaking as justification for refusing to conclude a contract?

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