Belgium

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Section 1: National institutional set-up

Question 1–6 relating to the enforcement of the DSA

In Belgium, there are three partially overlapping levels of government: the federal level in charge of telecommunications and competition policies, the three language-based Communities (Flemish, French and German) in charge of media policy and three territorially-Regions (Flanders, Brussels and Wallonia). Therefore, the regulators at the federal level and at the three Communities are the enforcers of the DSA, depending on the topics and services covered.

- The *Belgian Institute for Postal Services and Telecommunications (BIPT)* was designated at federal level by the Federal Act of 21 April 2024[1] amending the Books XII and XV of the Belgian Economic Law Code and the Act of 17 January 2003 on the BIPT; BIPT is the pre-existing federal regulatory body responsible for regulating the electronic communications market, the postal market for the whole Belgium, as well as spectrum and audio-visual media services and video-sharing platforms services for the Brussels Region. Moreover, BIPT was designed as the Digital Service Coordinator (DSC) by the Cooperation Agreement of 13 February 2024 on the DSA implementation concluded between the Federal state and the three Communities[2];

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[1] Loi du 21 avril 2024 mettant en œuvre le règlement 2022/2065 du Parlement européen et du Conseil du 19 octobre 2022 relatif à un marché unique des services numériques et modifiant la directive 2000/31/CE, portant modifications du livre XII et du livre XV du Code de droit économique et portant modifications de la loi du 17 janvier 2003 relative au statut du régulateur des secteurs des postes et des télécommunications belges.

[2] Accord de coopération du 13 février 2024 entre l'Etat fédéral, la Communauté flamande, la Communauté française, la Communauté germanophone relatif à l'exécution coordonnée partielle du règlement 2022/2065 du Parlement européen et du Conseil du 19 octobre 2022 relatif à un marché unique des services numériques: https://www.lachambre.be/kvvcr/showpage.cfm?section=/none&leftmenu=no&language=fr&cfm=/site/wwwcfm/flwb/flwbn.cfm?lang=F&legislat=56&dossierID=0288

- The *Conseil Supérieur de l'Audiovisuel (CSA)* designated by the French Community Decree of 5 February 2024[3] amending the Decree of 4 February 2021 on Audio-Visual Media Services;

- the *Vlaamse regulator voor de media (VRM)* was designated[4] by the Flemish Community Decree of 26 January 2024[5] amending the Decree of 27 March 2009 on radio and TV broadcasting;

- the *Medienrat* was designated by the German-speaking Community Decree of 14 December 2023[6] amending the Decree of 01 March 2021.

As explained on the BIPT's website, each regulator oversees potential breaches of the DSA that occur on its territory and in matters for which it is competent, according to the Belgian division of competences as interpreted in the judgements of the Belgian Constitutional Court in 2004 and 2020.[7] In the legislative process leading up to the adoption of the Cooperation Agreement, the Opinion 75.731 of the Belgian Council of State concluded on the outcome of this case law in the context of the areas covered in the DSA: [8]

- "the federal authority is competent […] in particular for consumer protection, price and income policy, competition law and trade practices law, commercial law and company law, as well as its residual competences, notably in criminal and police matters with particular regard to the fight against terrorism (as well as) audio-visual media services, with regard to persons and institutions established in the bilingual Brussels-Capital Region which, because of their activities, cannot be considered as belonging exclusively to the Flemish Community or the French Community"[9];

- As far as the Communities are concerned, the Council of State referred to its previous opinion 73.934/3 and confirmed their jurisdiction "insofar as the

[3] Décret de la Communauté française du 15 février 2024 modifiant le décret du 4 février 2021 relatif aux services de médias audiovisuels et aux services de partage de vidéos et mettant partiellement en œuvre le règlement sur les services numériques: https://www.ejustice.just.fgov.be/eli/decret/2024/02/15/2024001713/justel

[4] https://www.ejustice.just.fgov.be/eli/decreet/2024/01/26/2024001001/staatsblad

[5] Décret de la Communauté flamande du 26 janvier 2024 modifiant le décret du 27 mars 2009 relatif à la radiodiffusion et à la télévision, portant exécution partielle du règlement sur les services numériques: https://www.ejustice.just.fgov.be/eli/decret/2024/01/26/2024001001/justel

[6] Décret-programme de la Communauté germanophone du 14 décembre 2023: https://www.ejustice.just.fgov.be/eli/decret/2023/12/14/2024202002/justel

[7] Judgement of 14 July 2004 (132/2004), available at https://www.csa.be/wp-content/uploads/documents-csa/ARBITRAGE_20040714_arret132_2004_role2767.pdf and Judgement of 26 November 2020 (155/2020), available at https://www.const-court.be/public/f/2020/2020-155f.pdf

[8] https://www.lachambre.be/kvvcr/showpage.cfm?section=/none&leftmenu=no&language=fr&cfm=/site/wwwcfm/flwb/flwbn.cfm?lang=F&legislat=56&dossierID=0288

[9] Point 4 of the Opinion.

DSA is intended to apply to providers of 'intermediary services' which enable audio-visual media services to be broadcasted via these services […] The Council of State also notes the competence of the Communities in relation to the protection of young people […]".[10]

In terms of the resources allocated for the DSA enforcement:

- The BIPT will have a total of 22 Full Time Equivalents (FTE) to work on the DSA, with a combination of lawyers (including human rights specialists), social scientists and one data analyst;
- The CSA does not yet have a dedicated team and budget but is examining the work to be conducted pursuant to the Cooperation Agreement and the current teams are contributing to various working groups within the European Board of Digital Services (EBDS) according to their areas of competence;
- The VRM had at the time of writing not communicated on the additional FTE;
- The Medienrat has one FTE working on DSA questions.

In 2024, the BIPT commissioned a study to determine which intermediaries have their main establishment in Belgium. The study – which is not publicly available – concluded that around 500 intermediary services fall under Belgian jurisdiction. Since the BIPT is not yet fully staffed, it will prioritise its enforcement on a risked-based approach, by contacting initially the services that present the highest risk to users in case of non-compliance of the rules of the DSA.

Question 1–6 relating to the enforcement of the DMA

In order to enforce the DMA, the federal Act of 29 March 2024 modifies the Book IV of the Belgian Economic Law Code (ELC) on competition policy.[11] The Act designates the Belgian Competition Authority (BCA) as the competent authority in charge of application of competition rules listed in Article 1(6) DMA and enables the application of the institutional rules relating to the BCA to enforcement of the DMA. [12] The Prosecutor General of the BCA received the following three new powers to enforce the DMA:

[10] Point 5 of the Opinion.

[11] Loi du 29 mars 2024 exécutant le règlement 2022/1925 du Parlement européen et du Conseil du 14 septembre 2022 relatif aux marchés contestables et équitables dans le secteur numérique, available at: https://www.ejustice.just.fgov.be/eli/loi/2024/03/29/2024003904/justel. See K. Marchand, Y. Van Gerven, S. De Cock, « De wet van 29 maart 2024 tot uitvoering van de Digital Markets Act en tot wijziging van diverse bepalingen aangaande organisatie en bevoegdheden van de BMA: een overzicht », *Competitio*, 2024, p. 154.

[12] Article IV.16 ELC.

- Receive complaints from third parties (e.g., business users or end-users of core platform services) on gatekeepers' practices and inform the Commission in case of suspected non-compliance[13];

- Open, on his own initiative, investigations on gatekeeper's non-compliance with the same investigative powers as for investigations than under competition law.[14] The preparatory works of the Act clarify that investigation power has a purely ancillary role, consisting in gathering information and evidence for the Commission which is the sole enforcer of the DMA[15];

- Request the Commission to open a market investigation in the four cases foreseen by Article 41 DMA.[16]

Moreover, the BCA is the competent national authority within the meaning of Article 14 DMA: it is the recipient of information from the European Commission on intended concentration of gatekeepers, it is authorised to refer concentrations to the Commission under Article 22 of the Merger Regulation, and is authorised to use the information provided by the Commission for the purpose of applying Belgian merger rules.[17] The BCA has prioritized the digitization of the economy and application of the DMA.[18] Accordingly, a team of six persons is dedicated to competition in digital sector, including application of the DMA. At this stage, the experience of the BCA under the DMA consists mainly of consultations with gatekeepers and a small number of business users, but no case has been opened. Additionally, the authority published a short guide on the DMA for business users.[19] Moreover, the BCA has concluded a Memorandum of Understanding with DG Competition allowing staff secondment and currently one staff member is seconded to the Commission.

[13] Article IV. 99 ELC executing article 27 DMA.

[14] Articles IV. 26(3), 3°/1 and IV. 96 ELC, executing Article 38(7) DMA. These investigative powers are listed in arts. VI.40 to VI.40/5 ELC.

[15] Projet de loi exécutant le règlement 2022/1925 du Parlement européen et du Conseil du 14 septembre 2022 relatif aux marchés contestables et équitables dans le secteur numérique et modifiant diverses dispositions relatives à l'organisation et aux pouvoirs de l'Autorité belge de la concurrence, exposé des motifs, *Doc*., Ch., 2023-2024, n° 3813/001, p.20. Also see Belgian Competition authority, press release n°18/2024, 17 May 2024, p 1. The preparatory works also clarify that the opening of such an inquiry is a possibility for the authority and not an obligation.

[16] Article IV. 100 ELC.

[17] Projet de loi exécutant le règlement 2022/1925 du Parlement européen et du Conseil du 14 septembre 2022 relatif aux marchés contestables et équitables dans le secteur numérique et modifiant diverses dispositions relatives à l'organisation et aux pouvoirs de l'Autorité belge de la concurrence, exposé des motifs, *Doc*., Ch., 2023-2024, n° 3813/001, pp.11-12.

Preparatory works of the act available here: https://www.lachambre.be/FLWB/PDF/55/3813/55K3813001.pdf

[18] Belgian Competition Authority, Note de priorités 7 June 2024, pp 3-4 and p. 7: https://www.abc-bma.be/sites/default/files/content/download/files/2024_politique_priorit%C3%A9s_ABC.pdf

[19] https://www.belgiancompetition.be/en/about-us/publications/digital-markets-act-short-guide-tech-challengers

Next to federal Act of 29 March 2024, three legislative acts of languages-based Communities executing the DSA mentioned above also contain provisions related to the execution of the DMA, in particular because the Core Platform Services under the DMA cover the video sharing platforms which are supervised by the media regulators.[20] Thus, those Decrees provide that the four media regulators – CSA, VRM, Medienrat and BIPT – are in charge of the execution of the DMA within the limits of their material and territorial competences, that is, the scope of Audio-visual Media Services. However, the precise tasks allocated to each regulator are different:

- The preparatory work of the French Community Decree merely states that the CSA should cooperate with other authorities "among others for the purpose of market investigations";[21]

- The Flemish Community Decree mentions without further details that the VRM contributes to the application, implementation and monitoring of DMA[22];

- The German Community Decree specifies that the Medienrat (i) collaborates with the Commission and Member States in accordance with article 37 of the DMA[23] and (ii) is in charge with monitoring DMA compliance by AVMS providers;[24] more surprisingly the Decree also enables the Medienrat to impose penalties (including fines) when AVMS providers fail to comply with DMA obligations;[25] this has been now considered as violating the DMA which is solely enforced by the DMA and the Decree should be amended soon to remove those sanctioning powers.

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[20] In this sense see the preparatory works of the French and Flemish decrees. Projet de décret de la Communauté française 2024 modifiant le décret du 4 février 2021 relatif aux services de médias audiovisuels et aux services de partage de vidéos et mettant partiellement en œuvre le règlement sur les services numériques, exposé des motifs, *Doc*., Parl. Comm. fr., 2023-2024, n°644/1, p.6: https://archive.pfwb.be/1000000020d70e2 ; Ontwerp van decreet tot wijziging van het decreet van 27 maart 2009 betreffende radio-omroep en televisie tot gedeeltelijke uitvoering van de digitaledienstenverordening, exposé des motifs, *Parl. St*., Vl. Parl, 2023-2024, n°1907/1, p.9: https://www.vlaamsparlement.be/nl/parlementaire-documenten/parlementaire-initiatieven/1784477

[21] Projet de décret de la Communauté française 2024 modifiant le décret du 4 février 2021 relatif aux services de médias audiovisuels et aux services de partage de vidéos et mettant partiellement en œuvre le règlement sur les services numériques, exposé des motifs, *Doc*., Parl. Comm. fr., 2023-2024, n°644/1, p. 11.

[22] Article 217/1 of the Décret de la Communauté flamande du 27 mars 2009 relatif à la radiodiffusion et à la télévision: https://www.ejustice.just.fgov.be/eli/decret/2009/03/27/2009035356/justel

[23] Article 103 para 1, 3° of the Décret de la Communauté germanophone du 1er mars 2021 relatif aux services de médias et aux représentations cinématographiques: https://www.ejustice.just.fgov.be/eli/decret/2021/03/01/2021201177/justel

[24] Article 112(3) of the Décret de la Communauté germanophone du 1er mars 2021 relatif aux services de médias et aux représentations cinématographiques.

[25] Article 138 of the Décret de la Communauté germanophone du 1er mars 2021 relatif aux services de médias et aux représentations cinématographiques.

Section 2: Use of national legislative leeway

a) Questions 1–5 – Under the DSA

The amendment of the Economic Law Code, introduced by the Act of 21 April 2024, repeals the rules on the liability of intermediaries, the non-general monitoring obligation of intermediaries, the injunctions and the duties to inform competent authorities and law enforcement authorities of illegal activities that derived from the implementation of the E-commerce Directive because of duplication with the DSA.[26] These rules are replaced by a new article which refers to back to the DSA including on the requirement that the injunctions by the administrative and judicial authorities need to fulfil at the least the conditions listed in Article 9(2) DSA and in Article 10(2) DSA.

According to the Cooperation Agreement of 13 February 2024 on the DSA implementation,[27] whenever the DSC receives a copy of an injunction, it is logged without delay in the national Domus information sharing system. Intermediaries that fail to collaborate with injunctions may face fines according to the amended Article XV.118 ELC. No specific rules have been added to sanction administrative authorities or judicial authorities in case they fail to transmit their orders to the DSC. These authorities are supposed to know that this obligation to transmit their orders derives from the DSA. In practice, the BIPT is informing the authorities of this new duty in an effort to ensure that they comply with this DSA requirement.

Apart from these modifications, no other related legislative act was modified or contemplated for adoption in Belgium during the "transposition phase" of the DSA.

b) Question 1–5 – Under the DMA

Under Belgian law, no pre-existing rules were specifically adopted to ensure fairness and contestability on digital markets. However, two types of some pre-existing rules could contribute to those objectives:

- The first rules, included in Book IV of the ELC on competition law, prohibit the abuse of economic dependency, that is, when a dominant undertaking abusively exploits a situation of economic dependence and where competition is likely to be affected on the Belgian market;[28] this prohibition covers

[26] This was done by repealing Articles XII.17, XII.18, XII.19 and XII.20 ELC.

[27] Article 13 of the Cooperation Agreement on DSA implementation.

[28] Article IV.2/1 ELC. N. Daubies, T. Léonard, J.-F. Puyraimond, « La loi du 4 avril 2019 relative à l'abus de dépendance économique : une quête d'équilibre dans les relations entre entreprises »,

sale refusal or imposition of purchase or sale prices or other unfair trading conditions. The application of this prohibition by the BCA against gatekeepers designated under the DMA will trigger a duty to inform the Commission;

- The second set of rules, included in Book VI of the ELC on market practices, ensure B2B fairness by prohibiting "any act contrary to fair market practices by which an undertaking harms or may harm the professional interests of one or more other undertakings"[29]; in particular, the ELC prohibits in B2B relationships unfair contract terms,[30] misleading market practices,[31] and aggressive market practices.[32]

Apart from institutional implementation of the DMA, no other legislative instruments were adopted in Belgium. It should be noted that a study evaluating the regulatory framework applicable to the Belgian online platform market has been carried for the Ministry of Economic Affairs.[33] It analyses, among others, the opportunity to impose requirements on platform services not-provided by gatekeepers designated under the DMA. The study concludes that an effective application of the existing legislative framework should be preferred as a first step.

Section 3: Vertical and horizontal public enforcement-related cooperation

Questions 1–3 – Under the DSA

The Cooperation Agreement of February 2024 on DSA implementation sets out a detailed cooperation regime between the DSC (BIPT) and the other Belgian media regulators as well as the participation to the EBDS. In a nutshell, the Cooperation Agreement introduces the exhaustive list of competences that are listed in the DSA as belonging to the DSC[34] and all other competences/missions belong to the competent authorities.

Vers des relations entre entreprises plus équilibrées et une meilleure protection du consommateur dans la vente de biens et la fourniture de services numériques ?, Y. Ninane (dir.), Bruxelles, Larcier, 2021, pp. 22–24.

[29] Article VI.104 ELC. M. Buydens, *Droits des brevets d'invention*, 2e édition, Bruxelles, Larcier, 2020, p. 71.

[30] Articles VI.91/1 – VI.91/10 ELC.

[31] Articles VI.105-108 ELC.

[32] Article VI.109/1 ELC.

[33] E. Salvador, O. Brolis, C. Huveneers, A. de Streel, F. Jacques, *Marché belge des plateformes en ligne : Evaluation de la concurrence et du cadre réglementaire*, 2024: https://economie.fgov.be/en/publication/belgian-market-online

[34] Article 4 of the Cooperation Agreement on DSA implementation.

The Cooperation Agreement on DSA implementation also sets out:

- A national information sharing system, called Domus, to enable each regulator to receive in real time information on the cases that are being processed by the other Belgian regulators[35];
- The obligation for the regulators to meet at least every three months[36];
- The principle according to which questions of division of competence should be settled by consensus between the regulators in the first instance and if disagreement persists, within an inter-ministerial committee composed of the representatives of the relevant Ministers;
- Before issuing a sanction, the regulator needs to check that another regulator has not already applied a final sanction for an identical breach in relation to the same service provider[37];
- The participation of the DSC and the other regulators in the European Board for Digital Services[38];
- Each regulator uploads its activity report – which contains all the elements specified in Article 55 DSA– in the information sharing system within 20 days after having been requested to do so by the DSC; and then the BIPT compiles a single report with the individual reports of the competent authorities and places it in the information sharing system.[39]

On top of this Cooperation Agreement on DSA implementation, the BIPT is also in the process of entering into bilateral agreements with other federal regulators – such as the Data Protection Authority – but which are not a competent authorities within the meaning of the DSA.
There is no particular debate or measure concerning the role of national courts in the enforcement of the DSA.

Questions 1–5 – Under the DMA

The Economic Law Code, as amended by the Act of 29 March 2024, contains specific provisions on the cooperation of the BCA (i) with the European Commission, (ii) with other Member States regulators and (iii) with other Belgian regulators.

[35] Articles 5 and 6 of the Cooperation Agreement on DSA implementation.
[36] Article 7 of the Cooperation Agreement on DSA implementation.
[37] Article 8 of the Cooperation Agreement on DSA implementation.
[38] Article 9 of the Cooperation Agreement on DSA implementation.
[39] Article 12 of the Cooperation Agreement on DSA implementation.

Cooperation with the European Commission takes place when the BCA enforces competition and DMA rules. When the BCA enforces competition law against a gatekeeper designated under the DMA, the BCA must inform the Commission when it opens an investigation and when it intends to impose a sanction.[40] Moreover, the BCA can support the Commission in enforcing the DMA by supplying all information in its possession, providing assistance when investigations must be conducted in Belgium and helping the Commission to monitor DMA compliance. [41]

Further, as explained above, the three Decrees of the Communities also provide for cooperation of the CSA, the VRM and the Medienrat with the Commission when video sharing platforms are concerned. However, this cooperation will be challenging because of the imprecise nature of the powers conferred on the Communities media regulators, the lack of harmonization between the powers conferred on those regulators and the absence of a clear framework for cooperation with the BCA.

To enable cooperation with Member State regulators, the BCA is designated as the member of the Digital Markets Advisory Committee established by Article 50 DMA. Within this Committee, the BCA is represented by its Chairman (or by a staff member designated by it).[42] Moreover, the BCA should cooperate with other competition authorities within the European Competition Network (ECN) and is empowered to communicate to the Commission and national competition authorities any factual or legal element, including confidential information.[43] Up to now, this cooperation is rather limited as national competition authorities do not have yet much experience in participating to the DMA enforcement.

At national level, the ELC provides for the cooperation between the BCA and other Belgian regulators. The Belgian regulators which are part of DMA High-level Group and other Belgian authorities in charge with control of an economic sector can inform the Prosecutor General when they believe that a market investigation is necessary.[44] Similarly, before requesting the Commission to open any market investigation, the Prosecutor General should seek the opinion of the other concerned Belgian regulators.[45] Moreover when appropriate,

[40] Article IV. 78/1(2) ELC executing Article 38(2) and (3) DMA.

[41] Article IV. 97 ELC executing Articles 16(5), 21(5), 22(2), 23(3), 26(2) and 38(6) DMA.

[42] Article IV. 101 ELC. According to the preparatory works of the law, this designation is justified by (i) the already existing familiarity with the Advisory Committee in competition cases, (ii) the DMA's close link with competition law, (iii) the possibility of parallel investigations under the DMA and competition law, and (iv) the leading role accorded to competition authorities under the DMA.

[43] Article IV.98 ELC, executing art. 38(1) DMA.

[44] Article IV. 100(2) ELC.

[45] Article IV. 100(2) ELC.

the BCA Chairman may invite sectoral regulators (e.g. in electronic communication, AVMS or data protection) at the Digital Markets Advisory Committee. When the Advisory Committee intervenes in the adoption process of an implementing act according to Article 46 DMA, the BCA Chairman invites a representative of the Economics Ministry.[46]

No other specific rules were adopted regarding the role of Belgian Courts and their interaction with European Commission in the context of the DMA.

Section 4: Private enforcement

Questions 1–5

National procedural law allows civil society organisations to intervene in pending private disputes in support of the public interest. Moreover, Article 17(2) of the Belgian Judicial Code recognises the validity, in general terms, of a collective interest action. The legal entity concerned may bring an action to defend an interest that corresponds to its corporate purpose, provided that the proceedings are aimed at protecting human rights or fundamental freedoms recognised in the Constitution and in international instruments binding on Belgium. This procedure is not particularly difficult to access, nor is it particularly costly compared to procedures open to individuals.

To the best of our knowledge, no actions brought by private parties are pending before the Belgian courts in order to enforce provisions of the DSA or the DMA.

Section 5: General questions

Questions 1–6 regarding the DSA

As of November 2024, two intermediary service providers had appointed legal representatives in the Belgium (Brussels region): Telegram[47] (Dubai, UAE) and Samsung Electronics (no further information available).
On complaints handling pursuant to Article 53 DSA, the Cooperation Agreement on the DSA implementation specifies that the DSC and the other competent regulators can receive complaints.[48] The regulator that receives a complaint needs to log the complaint in the Domus information sharing

[46] Article IV. 101 ECL.

[47] https://www.euronews.com/next/2024/05/07/belgium-to-monitor-telegram-to-comply-with-new-eu-content-moderation-law

[48] Article 11 of the Cooperation Agreement on DSA implementation.

system. The procedure then follows that of Article 53 DSA, with a duty for the DSC to refer the complaint to a DSC of another Member State or to another (national) competent authority. If there is a disagreement on the competent authority, this needs to be logged in the information sharing system. The DSC and the other competent authorities need to meet within 5 working days to reach a consensus on the competent authority within 20 working days (from the date on which the disagreement was logged in Domus). If no agreement is found, the inter-ministerial committee can be seized of the case.

As of November 2024, trusted flaggers and out-of-court dispute resolution bodies had not yet been accredited in Belgium. The procedure for their selection had not yet been initiated either. The BIPT intends to adopt guidelines on the procedure to become a trusted flagger. The Cooperation Agreement on the DSA implementation specifies that the DSC which receives requests from potential trusted flaggers and out-of-court dispute resolution bodies needs to log the information in Domus. The DSC also needs to indicate which competent authority seems responsible to accredit the applicant. The same procedure described above on complaints handling applies in case of disagreement.[49]
Similarly, no researcher in Belgium had been granted the status of vetted researcher under Article 40 DSA yet, but the Cooperation Agreement on the DSA implementation specifies the same procedure as for trusted flaggers and out-of-court dispute resolution bodies.

Generally speaking the process of translating the DSA into the Belgian law has been complex given the division of powers in the country. The DSA is a horizontal legal instrument covering a wide range of intermediaries and all types of illegal content. The decision on who should be the DSC emerged quite rapidly since it was either a matter of creating a new (inter) federal authority or of extending the competences of the existing federal regulator (BIPT) and this second option was seen as the most effective. However, deciding on the cooperation between the DSC and the other media regulators was a more complex task. The resulting Cooperation Agreement has attempted to anticipate how to settle future questions of competence. It also foresees that three years after its entry into force, the different Belgian regulators need to jointly evaluate its operation and then report back to an inter-ministerial committee.[50] Also, each of the four regulators can request the revision of the Cooperation Agreement, but agreement cannot be terminated unless another agreement covering the same areas is entered into.[51]

[49] Article 10 of the Cooperation Agreement on DSA implementation.
[50] Article 18 of the Cooperation Agreement on DSA implementation.
[51] Article 19 of the Cooperation Agreement on DSA implementation.

Questions 1–6 regarding the DSA

The DMA was not subject to particular political controversies during its implementation at the Belgian level. This only issue was the granting of sanctioning power to the Medienrat – the media regulator of the German Community for breaches of the DMA by video sharing platforms providers which was contrary to the DMA, this will be corrected soon with an amendment to the German Community Decree to remove those powers.