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By PwC Deutschland | 04. September 2026

Commission adopts EU Guidelines on exclusionary abuses of dominance

The European Commission adopted Guidelines on the application of Article 102 of the Treaty on the Functioning of the European Union (TFEU) to abusive exclusionary conduct by dominant companies. The adoption of the guidelines marks the end of a three-year process where the Commission consulted extensively with stakeholders.

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Article 102 TFEU prohibits dominant companies from engaging in abusive behavior, including by seeking to exclude competitors from the market. Examples of such exclusionary abuses of dominance include predatory pricing, margin squeeze, exclusive dealing and refusal to supply.

The objectives of the Guidelines:

Contribute to the modernization of EU competition policy and ensure that Article 102 TFEU can effectively address modern business realities;

Enhance legal certainty, facilitating compliance and enabling businesses to compete on the merits; and

Increase consistency in the enforcement of Article 102 TFEU, including by NCAs and national courts, which can use the guidelines as a point of reference.

The Guidelines are based on the EU Courts' case law and the Commission's experience and practice on various key issues concerning exclusionary abuses by dominant operators.

More details to be found **here**.

Schlagwörter

Marktmissbrauch / Market abuse