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BEUC welcomes EU Court antitrust ruling confirming Google used illegal practices restricting consumer choice

The European Consumer Organisation (BEUC) welcomes today's [judgment](#) of the EU Court of Justice, which upholds the [2022 General Court ruling](#) in the Google Android case. This decision confirms the European Commission's 2018 finding that Google breached EU competition law by abusing its dominant position to strengthen its market power.

The judgment marks the last step in an investigation that Google's tying and bundling of its apps on Android devices, and restrictions on the development of alternative versions of Android (known as Android forks), were illegal, as they unfairly restricted competition and limited consumer choice.

BEUC intervened before the Court of Justice in support of the Commission maintaining that EU rules on abuse of dominance were correctly applied, and that Google's appeal should be rejected.

Agustín Reyna, Director General of BEUC, commented: "Today's judgment sends a very clear message: dominant companies cannot use their power to shut out competition and limit consumer choice. For years, Android users were steered towards Google search and the Chrome browser, leaving little room for alternatives to challenge, even those offering greater innovative solutions or better privacy settings. Today is a big win for Europe, but it also shows why we need forward-looking tools like the Digital Markets Act to nip unfair practices in the bud and allow consumers to enjoy choice in digital markets. Much faster action is needed to rein in the power of big tech firms undermining the chances of smaller companies to grow and bring innovative services to consumers."

Background information

BEUC contributed to the Commission's Google Android investigation as an interested third party and then [intervened](#) at the General Court and the Court of Justice in support of the Commission's July 2018 antitrust decision.

BEUC defended the view that Google's practices limited meaningful choice for consumers because competitors could not offset the advantages that Google's services would enjoy. Specifically, BEUC argued that pre-installed apps and contractual restrictions made it difficult for consumers to switch,

sidelining competing search engines and browsers particularly when combined with humans' well-known bias for the 'status quo'.

In 2022, the General Court largely [confirmed](#) the Commission's decision that Google had imposed unlawful restrictions on manufacturers of Android mobile devices and mobile network operators to consolidate its dominant position in several markets.

The General Court ruled that the pre-installation conditions Google imposed on manufacturers of mobile devices, requiring manufacturers to pre-install the Google search app and browser app (Chrome) as a condition for licensing Google's app store (the Play Store), were indeed abusive and in breach of EU antitrust rules on abuse of a dominant market position.

The General Court also upheld the Commission's decision that Google had illegally imposed restrictions on manufacturers wishing to pre-install Google apps that prevented them from selling even a single smart mobile device running on alternative versions of Android that were not pre-approved by Google. These restrictions led to the strengthening of Google's dominance on the market for general search services.

