



Advancing Regional Integration  
through Competitive Markets  
and Empowered Consumers

## ACP NOTICE OF INVESTIGATION 1 of 2026

17 February 2026

### NOTICE OF COMMENCEMENT OF INVESTIGATION INTO ALLEGED ABUSE OF DOMINANT POSITION BY META PLATFORMS IRELAND LIMITED

Notice is hereby given to interested stakeholders and the general public that pursuant to Regulation 68 of the COMESA Competition and Consumer Protection Regulations, 2025 (**“the Regulations”**), the COMESA Competition and Consumer Commission (**“the Commission”**) has commenced investigations into potential violation of Regulation 36 of the Regulations by Meta Platforms Ireland Limited (**“Meta”**).

Regulation 36 prohibits any abuse by one or more undertakings of a dominant position or position of collective dominance within the Common Market, or in a substantial part of it.

It should be noted that the commencement of investigations neither presupposes that the conduct being investigated is anticompetitive nor that Meta has violated the Regulations. The Commission will, in accordance with the provisions of Chapter 6 of the Regulations, conduct an investigation to determine whether the alleged conduct has as its object or effect the prevention, restriction or distortion of competition in the Common Market or any substantial part of it.

The Commission received information that Meta unilaterally amended its WhatsApp Business Solution Terms on 15 October 2025, to exclude providers of general-purpose artificial intelligence services from accessing or using the WhatsApp Business Application Programming Interface (WhatsApp Business API), while preserving and preferentially integrating Meta’s own AI service (Meta AI). The Commission has reasonable cause to suspect, and does suspect, that Meta holds a dominant position in the Common Market.

Furthermore, the Commission has reasonable cause to suspect, and does suspect, that the unilateral amendments to the WhatsApp Business Solution Terms is likely to substantially lessen competition in the Common Market by excluding artificial intelligence services providers from accessing WhatsApp, a crucial gateway to access their customers in the Common Market. As such the Commission will assess the conduct of

Meta to determine its effect in the Common Market and apply appropriate measures as per the Regulations.

The Commission hereby invites all interested stakeholders to submit representations by 16 March 2026. If you wish to make any representations or seek further details and or clarifications, you may contact our **Mr Tatenda Zengeni, Manager Anticompetitive Practices** on Tel: +265 (0)111 772 466 or E-mail [TZengeni@comesacompetition.org](mailto:TZengeni@comesacompetition.org).

All representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purposes of this investigation.

A handwritten signature in black ink, appearing to be 'W. Mwemba', written over a horizontal line.

**Dr Willard Mwemba**

**Chief Executive Officer**