

Joint call for an ambitious Digital Fairness Act to better protect people online

13 March 2026

In view of World Consumer Rights Day this Sunday, 15 March, we are writing to express our strong support for the European Commission's intention to develop a Digital Fairness Act (DFA) and call for it to deliver meaningful protection in the digital environment for people of all ages, including vulnerable groups such as minors, seniors and persons with disabilities.

The DFA must update horizontal EU consumer law, in particular by clarifying its requirements, to make sure it delivers online. Clearer rules will strengthen Europe's competitiveness by increasing legal certainty for all market participants, contributing to fair competition and reducing harm done online.

Digital technologies have become essential to everyday life. But the digital environment has also enabled the proliferation of commercial practices that not only violate fundamental rights, but also undermine consumer autonomy, cause tangible financial,¹ mental, and physical harm, fuel overconsumption,² distort competition and threaten the democratic discourse. These practices are not isolated incidents but have become part of business models built on asymmetric information and behavioural manipulation.

During the last mandate, the EU adopted important legislation to better protect people online, for instance the Digital Services Act, the Digital Markets Act and the AI Act. However, these laws are limited in scope and content and are therefore not enough to address all the unfair and harmful practices that companies use online across many sectors.

Horizontal EU consumer law is a safety net for consumers that complements sector-specific EU legislation, but its enforcement needs to be improved. Therefore, we also strongly support the European Commission's intention to strengthen the instruments for EU consumer law enforcement through a revision of the Consumer Protection Cooperation (CPC) Regulation.³ However, this will not be enough as enforcement can only be as good as the quality of the law enforced. The Digital Fairness Fitness Check⁴ has confirmed that EU consumer law has legal gaps and that there is a high degree of legal uncertainty about *how* it applies in the digital environment.

This is unsurprising, given that the Unfair Commercial Practices Directive (UCPD),⁵ as one of the key instruments of horizontal EU consumer law, was adopted more than 20 years ago and hence does not sufficiently address unfair practices online that are widely used today.

¹ According to the Digital Fairness Fitness Check, unfair commercial practices alone cause consumers an annual financial loss of at least 7.9 billion Euro; European Commission, SWD(2024)230, Fitness Check of EU consumer law on digital fairness, https://commission.europa.eu/document/707d7404-78e5-4aef-acfa-82b4cf639f55_en.

² BEUC complaint against Shein, Click to buy (more), <https://www.beuc.eu/enforcement/click-buy-more>.

³ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws.

⁴ European Commission, SWD(2024)230, Fitness Check of EU consumer law on digital fairness, https://commission.europa.eu/document/707d7404-78e5-4aef-acfa-82b4cf639f55_en.

⁵ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market.

Against this background, we call upon the European Commission to use the upcoming DFA for an ambitious update of horizontal EU consumer law to better protect people online against any type of unfair practices.

With around 70% of respondents calling for new binding rules on dark patterns, addictive design, unfair personalisation, influencer marketing and unfair practices in video games, the results of the DFA public consultation⁶ clearly show that there is a lot of support for the upcoming DFA, way beyond the list of signatories.⁷

The Council of the EU has recently acknowledged⁸ that consumer protection and competitiveness are mutually reinforcing and that consumer trust underpins the proper functioning of the Single Market. Furthermore, the Council of the EU has recognised the need to address regulatory gaps to further strengthen the protection of consumers, including minors, in the digital environment and has welcomed the European Commission's intention to propose a DFA.

The DFA offers an opportunity to show that 'simplification' should not become a synonym for deregulation. Updating EU consumer law can both increase legal certainty and ensure that digital markets respect people's rights while supporting more sustainable economic models.

We stand ready to further support the European Commission in preparing this important initiative.

Sincerely,

⁶ European Commission, Public consultation on the Digital Fairness Act, Factual summary report, https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14622-Digital-Fairness-Act/public-consultation_en.

⁷ See also the more than 228,000 signatures for a petition calling for a strong enforcement of the Digital Services Act and a prohibition of addictive techniques that are not covered by existing legislation, https://secure.avaaz.org/campaign/en/eu_social_media_addiction_loc/.

⁸ Council of the EU, Conclusions on the 2030 Consumer Agenda, <https://data.consilium.europa.eu/doc/document/ST-6634-2026-INIT/en/pdf>.

Signatories



Organisations

1. 5 Rights Foundation
2. AK EUROPA
3. AlgorithmWatch
4. Amnesty International
5. ARTICLE 19
6. ASUFIN - Asociación de Usuarios Financieros
7. Avaaz Foundation
8. Barnevakten
9. Berufsverband der Datenschutzbeauftragten Deutschlands (BvD) e.V.
10. BEUC - The European Consumer Organisation
11. Bits of Freedom
12. Børns Vilkår
13. CEE Digital Democracy Watch
14. Center for Digital Youth Care - Center for digital pædagogik
15. ChangingMarkets Foundation
16. Chaos Computer Club (CCC)
17. Check My Ads
18. Child Helpline International
19. Child Rights International Network - CRIN
20. ClientEarth
21. COFACE Families Europe
22. Consumentenbond
23. Corporate Europe Observatory (CEO)
24. D3 - Defesa dos Direitos Digitais
25. D64 - Zentrum für Digitalen Fortschritt
26. Data for Good
27. DECO - Associação Portuguesa para a Defesa do Consumidor
28. Defend Democracy
29. Deutsche Umwelthilfe e.V. - DUH
30. Deutsche Vereinigung für Datenschutz e.V.
31. Deutschland sicher im Netz e.V.
32. Digital Ansvar/ Digital Accountability
33. Digitalcourage e.V.
34. Digitale Gesellschaft
35. dTest - Czech consumer organisation
36. ECOS
37. Ecoteca Romania
38. EKPIZO
39. Electronic Frontier Norway
40. Epicenter.works - for digital rights
41. Eurochild
42. EuroHealthNet
43. European Consumer Centres (ECC) Network⁹
44. European Digital Rights (EDRi)
45. European Environmental Bureau
46. Federación de Consumidores y Usuarios CECU
47. Fédération SEPANSO Aquitaine
48. Finance Watch
49. Forbrugerrådet Tænk - The Danish Consumer Council
50. Generation Climate Europe
51. GLOBAL 2000 - Friends of the Earth Austria
52. HateAid
53. Homo Digitalis
54. Hungarian Association of Consumer Protectors (FOME)
55. Institute for Strategic Dialogue (ISD)
56. IT-Political Association of Denmark
57. JODI (Juridical Observatory on Digital Innovation)
58. KEPKA - Consumers Protection Centre

⁹ Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Innovation Council and Small and Medium-sized Enterprises Executive Agency (EISMEA). Neither the European Union nor the granting authority can be held

responsible for them. The opinions expressed do not necessarily reflect those of the national co-funding partners or host structures of ECCs. ECC PL, ECC SE, ECC FI and ECC IE are excluded from this collective ECC-Net co-signature.

59. LobbyControl - Initiative für
Transparenz und Demokratie e.V.
60. Mental Health Europe
61. Naturskyddsföreningen - Swedish
Society for Nature Conservation
62. New School of the Anthropocene
63. Neytendasamtökin - NS
64. Noyb, the European Center for
Digital Rights
65. Open Markets Institute (Europe)
66. Panoptikon Foundation
67. People vs Big Tech
68. Privacy International
69. PROSA – Your IT labour union
70. Qendra “Konsumatori shqiptar”
71. Save the Children
72. Stop Killing Games movement
73. Sveriges Konsumenter/Swedish
Consumers' Association
74. The Civil Liberties Union for Europe
(Liberties)
75. The Consumers’ Association of
Iceland
76. The European Disability Forum
77. The Good Lobby
78. Transatlantic Consumer Dialogue
(TACD)
79. UFC-Que Choisir
80. Union Luxembourgeoise des
Consommateurs – ULC
81. Verbraucherzentrale - vzbv
82. VoxPublic
83. What to Fix
84. Xnet, Institute for Democratic
Digitalisation
85. Zentrum für Digitalrechte und
Demokratie
86. ZERO - associação sistema
terrestre sustentável

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