

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. Forbrukerrådet - The Norwegian Consumer Council
51. Generation Climate Europe
52. GLOBAL 2000 - Friends of the Earth Austria
53. HateAid
54. Homo Digitalis
55. Hungarian Association of Consumer Protectors (FOME)
56. Insitute for Strategic Dialogue (ISD)
57. IT-Political Association of Denmark
58. JODI (Juridical Observatory on Digital Innovation)

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

Individual signatories

1. Prof Amandine Garde, Director of the Law & NCD Research Unit, University of Liverpool
2. Prof. Monika Namysłowska, University of Lodz, Poland
3. Prof. Peter Rott, Carl von Ossietzky University Oldenburg, Germany
4. Prof. Dr. Natali Helberger, University of Amsterdam, The Netherlands
5. Prof. Emeritus Hans Micklitz, European University Institute, Italy
6. Prof. Anne-Lise Sibony, UCLouvain, Belgium
7. Prof. Alberto Alemanno, HEC Paris, France
8. Prof. Vanessa Mak, Leiden University, the Netherlands
9. Prof. Xandra Kramer, Erasmus University Rotterdam and Utrecht University
10. Prof. Carole Aubert de Vincelles, CY Cergy Paris University, France
11. Prof. Louis Visscher, University of Rotterdam, the Netherlands
12. Dr. Jennifer Bouffard, Southern Brittany University, France
13. Prof. Malo Depincé, Université de Montpellier, France
14. Prof. Joasia Luzak, University of Exeter, United Kingdom
15. Prof. Christine Riefa, University of Reading, United Kingdom
16. Prof. Mateusz Grochowski, Tulane University, USA
17. Dr. Kati Cseres, University of Amsterdam, the Netherlands
18. Prof. Jan Trzaskowski, Aalborg University, Denmark
19. Prof. Karin Sein, University of Tartu, Estonia
20. Prof. Valéry Bezençon, University of Neuchâtel, Switzerland
21. Prof. Elise Poillot, University of Luxembourg, Luxembourg
22. Dr. Joanna Strycharz, University of Amsterdam, The Netherlands
23. Dr. Cristiana Santos, Utrecht University, The Netherlands
24. Prof. Anne-Christine Fornage, University of Lausanne, Switzerland
25. Dr. Tom Bouwman, Leiden University, The Netherlands
26. Dr. Fabrizio Esposito, NOVA School of Law, Universidade Nova de Lisboa, Portugal
27. Dr. Candida Leone, University of Amsterdam, The Netherlands

28. Dr. Francesca Episcopo, University of Amsterdam, The Netherlands
29. Prof. Guido Smorto, University of Palermo, Italy
30. Dr. Anna van Duin, University of Amsterdam, The Netherlands
31. Prof. Dr. Emilia Mišćenić, University of Rijeka, Croatia
32. Laura Aade, Utrecht University, The Netherlands
33. Dr. Irina Domurath, University of Padua, Italy
34. Prof. Dr. Sascha Alavi, University of Dortmund, Germany.
35. Dr. Emma van Gelder, Utrecht University, The Netherlands
36. Ass.-Prof. Dr. Kristin Nemeth, University of Innsbruck, Austria
37. Dr. Nada-Ina Pauer, Max-Planck Institute for Innovation and Competition, Munich, Germany
38. Prof. dr. Marco B.M. Loos, Amsterdam Graduate School of Law, Universiteit van Amsterdam, The Netherlands
39. Professor Severine Saintier Exeter University School of law, United Kingdom
40. Professor Aurelia Colombi Ciacchi, University of Groningen, The Netherlands
41. Prof. H el ene Aubry, University Paris-Saclay, France
42. Dr. Marijn Sax, University of Amsterdam, The Netherlands
43. Professor Padraic Kenna, University of Galway, Ireland.
44. Prof. Federico Ferretti, University of Bologna, Italy
45. Theodora (Laura) Bakola, PhD Researcher, Leiden University, the Netherlands
46. Liubomir Nikiforov, EDHEC Business School/VUB, Researcher in Law, France/Belgium
47. Dr. Mathieu Combet, Associate professor, Universit  de Saint-Etienne, France
48. Dr Zsolt Hajnal, Associate professor, University of Debrecen, Faculty of Law, Hungary
49. Dr. Miłosz Malaga, Assistant Professor, Adam Mickiewicz University in Poznań, Poland
50. Professor James Devenney, University of Reading, United Kingdom
51. Dr Kasper Drażewski, Senior Researcher, KU Leuven Centre for IT & IP Law, Belgium
52. Dr. Josje de Vogel, Erasmus University Rotterdam, The Netherlands
53. Dr. Andreas Kotsios, Uppsala University, Sweden

54. Jess Haynie-Lavelle, PhD researcher, Malmö Univeristy, Sweden
55. Prof. Valentina Calderai, University of Pisa, Italy
56. Prof. Dr. Marta Infantino, University of Trieste, Italy
57. Prof. Dr. Roberta Montinaro, University of Naples L'Orientale, Italy
58. Prof. Paul Dermine, Université libre de Bruxelles, Belgium
59. Carolina Lisboa Pinto, PhD Candidate, Leiden University, The Netherlands
60. Dr. Gianclaudio Malgieri, Associate Professor of Law, Leiden University, The Netherlands
61. Dr. Dominika Kuźnicka-Błaszowska, University of Wroclaw, Poland
62. Dr. Felix Pflücke, Universities of Luxembourg and Oxford
63. Prof. Dr. Camilla Crea, University of Sannio, Italy
64. Dr. Tommaso Fia, University College London, United Kingdom
65. Dr. iur Rita Simon, Associate professor, Palacky University Olomouc, Czech Republic
66. Ms Lena-Maria Böswald, Senior Policy Researcher, interface
67. Ms Jessica Galissaire, Senior Policy Researcher, interface
68. Maria José AZAR-BAUD, Ass. Professor Paris-Saclay University, France,
69. Prof. Jan Michael Bauer, Copenhagen Business School, Denmark.
70. Dr. Irene Kamara, Associate Professor, Tilburg Law School, the Netherlands
71. Dr, Cecilia Isola, NOVA School of Law, Universidade Nova de Lisboa, Portugal
72. Dr. Laura Zoboli, IE University, Spain
73. Professor Fidelma White, University College Cork
74. Dr Cliona Kelly, Sutherland School of Law, University College Dublin, Ireland
75. Prof. Giovanni Sartor, University of Bologna, Italy
76. Prof. Dr. Beate Gsell, Ludwig-Maximilians-Universität München, Germany
77. Prof. Francisco de Elizalde, IE University, Spain
78. Dr. Ann-Kristin Mayrhofer, Ludwig-Maximilians-Universität München, Germany
79. Jorge Morais Carvalho, Full Professor, NOVA School of Law, Universidade NOVA de Lisboa, Portugal
80. Prof. Dr. Simone van der Hof, Full professor Law and Digital Technologies, Center for Law and Digital Technologies (eLaw), Leiden University, The Netherlands

81. Prof. Dr. Chantal Mak, Professor of Private Law, in particular Fundamental Rights and Private Law, University of Amsterdam, The Netherlands
82. Prof. Salvatore Orlando, Sapienza University of Rome, JODI (Juridical Observatory on Digital Innovation), Italy
83. Prof. Dr. Caroline Meller-Hannich, Martin-Luther-Universität Halle-Wittenberg, Germany
84. Sally Bagheri, phd student in Computer Science, Malmö University, Sweden
85. Prof. Monika Jagielska, University of Silesia in Katowice, Poland
86. Dr. Giuseppe Versaci, Associate Professor of Private Law, University of Insubria, Italy
87. Prof. Dr. Alberto De Franceschi, University of Ferrara / KU Leuven, Italy
88. Prof. Dr. Reinhard Steennot, Ghent University, Belgium
89. Prof. Dr. Charlotte Pavillon, Professor of private law, in particular consumer law, University of Groningen, The Netherlands
90. Dr. Aurelija Lukoseviciene, Researcher in Law and Technology, Lund University, Sweden
91. Dr. Gerasimos (Jerry) Spanakis, Assistant Professor, Maastricht University, Netherlands
92. Dr. L.B.A. Tigelaar, Assistant Professor, University of Groningen, The Netherlands
93. Dr. Marta Santos Silva, University of Minho, Portugal
94. Dario Salvi, Associate Professor in Computer Science, Malmö University, Sweden
95. Prof. Sabine Bernheim-Desvaux, University of Angers, France
96. Prof. Evelyne Terryn, KU Leuven, Belgium
97. Professor Christian Twigg-Flesner, University of Warwick, United Kingdom.
98. Dr. C.E. de Jager, Assistant Professor, University of Groningen, The Netherlands
99. Prof. Bert Keirsbilck, KU Leuven – Consumer Competition Market - Belgium
100. Dr. E.A.G, van Schagen, Assistant Professor, Utrecht University, The Netherlands
101. Jie Ouyang, PhD researcher, University of Groningen, The Netherlands
102. Sara Caramaschi, PhD student in Computer Science, Malmö University, Sweden
103. Dr Mathilde Calcio Gaudino, University of Luxembourg, Luxembourg
104. Prof. Daniele Imbruglia (Sapienza, University of Rome)

105. Prof. Pascal Pichonnaz, University of Fribourg, Switzerland
106. Assoc Prof Dr Petra Weingerl, University of Maribor, Slovenia
107. Dr Timothy J. Dodsworth, Associate Professor, University of Reading, United Kingdom.
108. Prof. Dr. Sergio Cámara Lapuente, University of La Rioja, Spain.
109. Prof. Mary Donnelly, University College Cork, Ireland.
110. Dr Jagna Mucha, University of Warsaw, Poland.
111. Prof. Giovanni De Gregorio, PLMJ Chair in Law and Technology, Católica Global School of Law, Lisbon, Portugal
112. Ms Marine Cornelis, Executive Director and Founder, Next Energy Consumer
113. Elena Bargelli, University of Pisa, Italy
114. Dr. Dominik Dworniczak, University of Zurich, Switzerland and University of Salzburg, Austria
115. Dr. Antonio Davola, Associate Professor of Economic Law, University of Bari Aldo Moro, Italy
116. Dr. Marine Friant – Université de Nantes, France