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A9-0340/2023

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REPORT

on addictive design of online services and consumer protection in the EU single market
(2023/2043(INI))

Committee on the Internal Market and Consumer Protection

Rapporteur: Kim Van Sparrentak

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on addictive design of online services and consumer protection in the EU single market (2023/2043(INI))

The European Parliament,

– having regard to the Treaty on the Functioning of the European Union, and in particular Article 169 thereof,

– having regard to the Commission notice entitled 'Guidance on the interpretation and application of Directive 2005/29/EC concerning unfair business-to-consumer commercial practice' (2021/C 526/01),

– having regard to the Commission notice entitled 'Guidance on the interpretation and application of Directive 2011/83/EU on Consumer Rights' (2021/C 525/01),

– having regard to the Commission notice entitled 'Guidance on the interpretation and application of Council Directive 93/13/EEC on unfair terms to consumer contracts' (2019/C 323/04),

– having regard to the Commission study entitled 'Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation: final report', Directorate-General for Justice and Consumers, 2022,

– having regard to the report of the consumer organisation umbrella group BEUC of 2022 entitled 'EU Consumer protection 2.0. Protecting fairness and consumer choice in a digital economy',

– having regard to the Commission consultation entitled 'Digital fairness – fitness check on EU consumer law and its summary report',

– having regard to the European Parliamentary Research Service study of 2019 entitled 'Harmful internet use. Part I: Internet addiction and problematic use',

– having regard to the United Nations report of 2021 entitled 'Our Common Agenda – Report of the Secretary-General',

– having regard to its resolution of 12 March 2009 on the protection of consumers, in particular minors, in respect of the use of video games[1],

– having regard to Regulation (EU)2022/2065 on a single market for Digital Services (Digital Services Act)[2],

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[1] OJ C 87E, 1.4.2010, p. 122.
[2] OJ L 277, 27.10.2022, p. 1.

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–   having regard to the Proposal for a Regulation laying down harmonised rules on Artificial Intelligence (Artificial Intelligence Act) (COM(2021)0206),

–   having regard to Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)[3],

–   having regard to Article 24 of the EU Charter of Fundamental Rights,

–   having regard to the United Nations Convention on the Rights of the Child and the General comment No. 25 (2021) to the Convention on children's rights in relation to the digital environment,

–   having regard to the Better Internet for Kids strategy of the Commission,

–   having regard to Rule 54 of its Rules of Procedure,

–   having regard to the report of the Committee on the Internal Market and Consumer Protection (A9-0340/2023),

A.   whereas in today's attention-based economy, certain technology companies use design and system functionalities to take advantage of users' and consumers' vulnerabilities in order to capture their attention and increase the amount of time they spend on digital platforms; whereas many digital services, such as online games, social media, streaming services for films, series or music, online marketplaces or web shops may be designed to keep users on the platform for as long as possible so as to maximise the data collected and the time and money they spend there as well as to maximise activity, engagement, content production, network development and data sharing; whereas this applies in particular to data monetising services; whereas consequently many online services are designed to serve several aims at once, namely to optimise user experience and to retain users' attention and therefore be as addictive as possible; whereas not all digital services are based on the same business model, such that while some digital services work on data monetisation and time spent on the application in order to collect data and use it for advertising purposes, other digital services work in part or in full with subscription-based models that may or may not contain addictive design features; whereas some services successfully do not rely on design that prolongs the time spent on the platform; whereas commercial success and ethical app development are not mutually exclusive; whereas the terms 'manipulative design', 'addictive design' or 'behavioural design' of online services describe features that lead to behaviour-related risks and harms, including forms of digital addiction, such as, 'excessive or harmful internet use', 'smartphone addiction', 'technological or internet addiction', 'social media addiction'; whereas there is a growing consensus among academics that phenomena, such as 'social media addiction' exist; whereas we must look into the attention retaining or addictive features that incite that behaviour, not the media or devices as such; whereas further research is needed to better understand the underlying issues, the impact of online services and potential solutions;

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[3] OJ L 119, 4.5.2016, p. 1.

B. whereas digital services, including social media, are radically changing society and bringing positive effects such as increased efficiency, connectedness, accessibility and leisure, as well as allowing children and young people to connect, learn about and appreciate different perspectives and worldviews, as well as to build knowledge and explore areas of interest; whereas apps can help us become more productive or exercise more, or solve specific problems, as illustrated by traffic, banking or translation apps; whereas digitalisation and social media also pose new challenges to society and require policy attention to both physical and mental health risks associated with the use of online services; whereas with all the improvements that technology has brought into the lives of individuals, sophisticated use of addictive, behavioural or deceptive or persuasive design can have harmful consequences affecting consumers' online behaviour, so it is necessary to give regulators and researchers the tools they need to analyse the effects of using these platforms;

C. whereas 16-24 year-olds spend an average of over seven hours a day on the internet[4]; whereas one in four children and young people display 'problematic' or 'dysfunctional' smartphone use, meaning behavioural patterns mirroring addiction[5]; whereas research suggests that problematic smartphone use continues to rise and that many children rarely disconnect from social media but use it constantly throughout the day and feel insecure without their mobile phone; whereas research also suggests that the rise in mental health problems in adolescents might be related to excessive social media use and that social media pressure has been identified as one of the top five causes of mental health difficulties for children; whereas younger populations are more vulnerable to psychopathological developments and harmful behaviours and mental health conditions established in childhood can shape subsequent life course; whereas gaming addiction is recognised as a mental health disorder by the World Health Organization;

D. whereas internet-use-related addiction may display similar side effects to substance-related addictions, including evidence of tolerance and relapse[6]; whereas strict regulation exists for other addictive products and services to prevent addiction and protect consumers from harm; whereas problematic smartphone or internet use has been linked to lower life satisfaction and mental health symptoms such as depression, low self-esteem, body-image disorders, eating disorders, anxiety, high levels of perceived stress, neglect of family and friends, loss of self-control, lack of sleep and obsessive-compulsive symptoms, such as compulsive buying among young adults[7]; whereas heavy

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[4] Average daily time spent using the internet by online users worldwide as of 4th quarter 2022, by age and gender, Statista, 22 May 2023, https://www.statista.com/statistics/1378510/daily-time-spent-online-worldwide-by-age-and-gender/.

[5] Lopez-Fernandez, O. and Kuss, D., *Harmful Internet Use Part I: Internet addiction and problematic use*, EPRS, STOA, p. 51,
https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624249/EPRS_STU(2019)624249_EN.pdf.

[6] Lopez-Fernandez, O. and Kuss, D., *Harmful Internet Use Part I: Internet addiction and problematic use*, EPRS, STOA, p. 51,
https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624249/EPRS_STU(2019)624249_EN.pdf.

[7] See inter alia: Sohn, S., Rees, P., Wildridge, B., Kalk, N. J., and Carter, B. R. (2019). *Prevalence of problematic smartphone usage and associated mental health outcomes amongst children and young people: a systematic review, meta-analysis and GRADE of the evidence*. BMC Psychiatry, 19, 2019. Peterka-Bonetta, J., Sindermann, C., Elhai, J.D., Montag, C., *Personality associations with smartphone and internet use disorder: a comparison study including links to impulsivity and social anxiety*. Front Public Health 7:127, 2019; Samra, A., Warburton, W. A., and Collins, A. M., *Social comparisons: A potential mechanism linking problematic social media use with depression*. Journal of Behavioral Addictions, 2022; Laconi, S. et al. *Cross-cultural study of*

users of digital media are twice as likely to have mental-health issues, including risk factors for suicide and self-harm; whereas children and young people are more vulnerable to these symptoms; whereas mental-health conditions established in childhood can shape an individual's subsequent life course; whereas excessive internet use is associated with problems with daily obligations, declining grades, poor school and academic performance or poor job performance; whereas the prevalence of digital addictions and their association with symptoms of common mental disorders is a growing public health problem and as such, should be a concern to policymakers; whereas more research is needed to better inform the development of the most appropriate diagnostic criteria and determine risk factors for various digital addictions; whereas certain services, products or features that may not affect adults can instead be highly risky, addictive or otherwise harmful for children, including on account of the cumulative impact of a combination of several features or prolonged impact over time;

E. whereas all online services and products that are likely to be accessed by children should be designed with the best interests of the child as the primary consideration; whereas certain online services and products can be highly risky, addictive, or otherwise harmful for children, such as due to the combined impact of several features or their cumulative impact over time;

F. whereas according to some research, excessive screen time or problematic use may impact brain development; whereas increases in social media use problems are linked to attention deficits, shorter attention spans, impulsiveness and attention deficit hyperactivity disorder (ADHD) symptoms[8]; whereas intensive social media use has been associated with lower levels of grey matter in certain areas of the brain, just as is the case with other addictive substances; whereas excessive screen time has been shown to have potential effects on neurodevelopment, learning and memory, and the sedentary lifestyle linked to time spent on electronic media brings a potential increased risk of early neurodegeneration[9];

G. whereas addictive design can be seen to have a negative impact on everyone, not just individuals showing problematic usage patterns; whereas addictive design, makes it hard to focus on the task in hand owing to distractions such as messages and notifications constantly disrupting peoples' concentration; whereas the addictive design of online services leads to increased pressure to perform and social pressure to be permanently online and connected, increasing the risk of stress and burnout; whereas

Problematic Internet Use in nine European countries, In: Computers in Human Behavior, 84, pp.430-440, 2018; Lopez-Fernandez, O. and Kuss, D. *Harmful Internet Use Part I: Internet addiction and problematic use*, EPRS, STOA, p. 51; Cesarina Mason, M., Zamparo, G., Marini, A., and Ameen, N. *Glued to your phone? Generation Z's smartphone addiction and online compulsive buying* In: Computers in Human Behaviour, Vol.136, November 2022; Learning to deal with Problematic Usage of the Internet, Revised Edition / COST Action 2023; Boer, M. *#ConnectedTeens Social media use and adolescent wellbeing*, 2022; Neophytou, E. Manwell, L.A. and Eikelboom, R. *Effects of excessive screen time on neurodevelopment, learning, memory, mental health, and neurodegeneration: a scoping review*, Int J Ment Health Addiction, 19, 2019, pp. 724-744.

[8] Boer, M. *#ConnectedTeens Social media use and adolescent wellbeing*, 2022; Boer, M., Stevens, G. Finkenauer, C., van den Eijnden, R., *Attention Deficit Hyperactivity Disorder-Symptoms, Social Media Use Intensity, and Social Media Use Problems,* In Adolescents: Investigating Directionality, Child Development, 91, 4, 2020.

[9] Neophytou, E., Manwell, L.A. and Eikelboom R., *Effects of excessive screen time on neurodevelopment, learning, memory, mental health, and neurodegeneration: a scoping review* Int J Ment Health Addiction, 19, 2019, pp. 724-744.

consumers online are increasingly confronted with an information overload and enormous sensorial stimuli throughout the day, which may lead to limited cognitive ability, and user interfaces offer only limited control over their data; whereas the time people spend looking at screens is time not spent being physically active, moving, being outside, or shutting down and relaxing, all of which are associated with physical and mental well-being as well as being crucial for children's development; whereas adolescents who spend a small amount of time on electronic communications are generally the happiest; whereas people that stop using social media for a week experience significant improvements in well-being;

H. whereas on average, adolescent girls spend more time online, on smartphones, social media and texting than boys; whereas boys spend more time on gaming and electronic devices in general; whereas girls show a stronger association between screen time and poor mental health than boys and are more than twice as likely to have clinically relevant levels of depressive symptoms than boys; whereas addictive online services are often targeted at minors or accessible to children of all ages; whereas all services and products likely to be accessed by children must be safe for them and consider the best interest of the child;

I. whereas the interfaces of some digital services exploit similar psychological vulnerabilities to those involved in an addiction to gambling; whereas addictive design features intentionally play into consumers' vulnerabilities, making them spend much more time on applications and consuming more than intended; whereas platforms deploy gamification techniques, meaning behavioural design using game mechanics to reward the completion of tasks and giving users the illusion of choice and control, while being subjected to a deliberately highly curated timeline;

J. whereas addictive design features are often linked to psychosocial patterns playing on consumers' psychological needs, vulnerabilities and desires, such as social belonging, social anxiety, fear of missing out (encouraged by information being available only temporarily, such as 'stories', 'is typing…'), network effects, the urge to finish tasks in a flow, even if interrupted, for example by removing all intuitive moments to end or finish a task, also known as 'stopping cues' (endless scrolling, flashes of high-relevance content that are immediately hidden as the newsfeed reloads), autoplay by setting goals for users, like 'streaks', and playing into loss of self-control; whereas design features can be addictive for different reasons, such as an intermittent variable reward, leading to a dopamine surge, just like the dynamics of slot machines, such as push notifications, or social reciprocity leading to chemical reactions in the brain, where on the one hand people receive social gratification, such as likes, and on the other hand people feel social pressure to respond to other people, for example with read-receipts; whereas the features described above are combined with granular personalisation to influence users on an individual level, thus increasing the behavioural patterns and risks identified; whereas children are more vulnerable to those features, especially in earlier developmental stages;

K. whereas modern-day data driven services place the consumer in a weaker position creating power imbalances and digital asymmetry resulting in a universal state of digital vulnerability resulting from internal and external factors beyond the control of the consumer; whereas consumers are constantly facing AI that can easily detect and exploit

their vulnerabilities and services regularly changing their choice architectures to maximise conversion rates and engagement; whereas this demonstrates that the concept of vulnerability must not be restricted to 'traditionally protected' groups but must include all consumers;

L. whereas addictive practices have been empirically studied and include design features such as 'infinite scroll', 'pull-to-refresh' page reload, 'never ending auto-play' video features, personalised recommendations, 'recapture notifications', meaning notifications to regain users' attention after leaving a service or app, 'playing by appointment' at certain moments during the day, design leading to 'time fog' causing a diluted perception of time or 'fake social notifications' creating the illusion of updates within the user's online social circle, whereas such features are often to be found in conjunction with personalised elements; whereas consumers are nudged into spending more time on these platforms; whereas other persuasive design features are elements such as the 'like-button', 'read-receipt functions', 'is typing' displays, but also the number of followers collected on a platform, the colours platforms use, push notifications and time restrictions of content, such as temporarily available stories; whereas the extremely rapid development of social media requires continuous research especially as regards mental health and as regards minors;

M. whereas certain recommender systems, which are based both on personalisation and on interaction such as clicks and likes, potentially represent an important persuasive, addictive or behavioural design feature; whereas simultaneously recommender systems can contribute to the functionality of platforms to enhance social interaction, but are often also aimed at keeping users on the platform; whereas the Digital Services Act (DSA) has introduced a number of transparency obligations on recommender systems;

N. whereas many tech companies use experimental dashboards as the basis for their design decisions; whereas such real-life experiments are made directly on consumers without their knowledge or consent; whereas it is unclear to what extent such experiments are subject to safety measures due to the lack of transparency in their deployment;

O. whereas the addictive design features outlined above cannot be solved simply by imposing time-limits on online services, as this approach shifts the responsibility onto the individual instead of addressing the core issue of the addictive design of profit-driven online services; whereas none of the 'solutions' platforms have implemented have led to a serious change or decrease in usage of online services; whereas teenagers do not readily accept parental regulation of their social media use and often find it easy to bypass any technical constraints imposed on them; whereas measures such as parental controls and digital literacy are complementary to the responsibility of providers to protect and promote children's rights in the digital environment, notably through safety-by-design measures to ensure that the design of their products and services does not cause harm to children; whereas research has shown that setting clear rules and constructive communication with children can help prevent social-media addiction; whereas digital services should provide a platform that parents and educators can consult for information about the dangers of excessive internet use and how to talk about the issue with children and young people; whereas discussions are taking place in the context of ongoing non-legislative initiatives such as the EU code of conduct on age-appropriate design (as part of the 2022 European strategy for a better internet for

kids (BIK+)), the European Commission's approach to mental health, the Digital Education Action Plan (DEAP) 2021- 2027;

P.   whereas articles 25, 27, 28 and 38 of the DSA provide for a prohibition of deceptive or manipulative features, transparency and choice obligations for recommender systems and profiling as well as measures to protect minors; whereas the DSA already introduces provisions against the use of 'dark patterns' but these are limited to choice architecture and influence choices but do not address behavioural design that is addictive per se, moreover they are also of limited scope as they do not apply to all online services but rather only to online platforms, thereby excluding crucial problematic services such as online games; whereas the soon to be adopted AI Act horizontal legislation[10] seeks to ban AI systems that deploy subliminal features but is limited to systems that 'are purposefully manipulative or deploy deceptive techniques';

Addictive design of online services

1.   Welcomes the Commission's 'digital fairness' fitness check of consumer law, as a unique opportunity to pave the way for a new generation of consumer protection legislation that will reverse the negative trends that have been weakening consumers' position and reducing consumers' rights in a world dominated by digital technologies; to this end, calls on the Commission for its fitness check to review the concepts and definitions in consumer law such as the definitions of 'consumer', 'vulnerable consumer' and 'trader' in order to protect consumers from harms and respond to the challenges brought about by the data age;

2.   Believes that digital addiction and persuasive technologies are problems that require a comprehensive regulatory response from the EU, with a series of supportive policy initiatives, to meaningfully address digital addiction and empower citizens with the ability to determine how they use digital services and products to further their own goals and be protected against new forms of addiction and problematic uses of the internet;

3.   Is alarmed that certain platforms and other tech companies exploit psychological vulnerabilities to design digital interfaces for commercial interests that maximise the frequency and duration of user visits, so as to prolong the use of online services and to create engagement with the platform; stresses that addictive design can cause harm to physical and psychological health as well as material harm to consumers; calls on the Commission to urgently assess and, where appropriate, close existing regulatory gaps with regard to consumer vulnerabilities, dark patterns and addictive features of digital services;

4.   Stresses that despite a strongly evolving EU legal framework in the digital field, including the DSA or the AI Act, the issue of addictive design is not sufficiently covered in existing EU legislation, and if not addressed could lead to further deterioration in the area of public health, especially affecting minors; considers that if the topic remains unaddressed, Parliament should take the lead and use its right of legislative initiative; calls on the Commission to ensure strong and robust enforcement

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[10] Koning, I.M., et al., *Bidirectional effects of internet-specific parenting practices and compulsive social media and internet game rules*, Journal of Behavioral Addictions 2018, 624-632.

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of all existing legislation on the matter with the highest possible degree of transparency; calls on the Commission to adopt the necessary guidelines under Articles 25 and 35 of the DSA to that end;

5.   Calls on the Commission to examine what policy initiatives are needed and to propose legislation against addictive design, where appropriate and necessary; welcomes the Commission initiative to ensure an equal level of fairness online and offline; urges the Commission in its review of the Unfair Commercial Practices Directive[11] (UCPD), Consumer Rights Directive[12] and Unfair Contract Terms Directive[13] – the so-called digital fitness check – to ensure a high level of protection in the digital environment with attention to tackling the growing issues around the addictive, behavioural and manipulative design of online services and within this review also assess the definition of 'consumer', 'vulnerable consumer' and 'trader' in the digital age; stresses the importance of ensuring an effective and coherent enforcement of consumer law, paying special attention to vulnerable groups such as children;

6.   Recalls that the Commission's behavioural study on unfair commercial practices in the digital environment has found that transparency provisions against dark patterns and manipulative personalisation practices both for average and vulnerable consumers are insufficient to counter their negative consequences; calls on the Commission to urgently assess the need to prohibit the most harmful practices, which are not yet blacklisted as misleading commercial practices in Annex I of the UCPD or other EU legislation; recalls that several dark patterns and manipulative practices could already be prohibited under the list of misleading commercial practices in Annex I of the UCPD; notes, moreover, that the principle-based Articles 5 to 9 of the UCPD concerning professional diligence, misleading omissions and actions, and aggressive practices provide a basis for assessing the fairness of most business-to-consumer practices;

7.   Recalls that the Commission assessment on taxonomies of dark patterns notes that certain addictive design features may not be taken into account in the current legislation, including the infinite scroll and the default autoplay function; stresses that other addictive design features such as constant push notifications or read receipt notifications are not covered by existing legislation either; recalls that there remains legal uncertainty regarding the rules applicable to addictive interface design; underlines the UCDP guidance; stresses the importance of keeping guidance updated and providing legal certainty in the context of new technological developments; calls on the Commission to assess and prohibit harmful addictive techniques that are not covered by existing legislation;

8.   Considers that any revision of the UCPD should take into account consumers' susceptibility due to the unequal position of power in the trader-consumer relationship resulting from internal and external factors beyond the consumer's control; stresses that the autonomy of consumers should not be undermined by traders' commercial practices, in particular the design and operation of the interface; to this end, is of the opinion that

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[11] Directive 2005/29/EC of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market (OJ L 149, 11.6.2005, p. 22).
[12] Directive 2011/83/EU of 25 October 2011 on consumer rights (OJ L 304, 22.11.2011, p. 64).
[13] Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).

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the UCPD should integrate the concept of digital asymmetry; notes that both consumers and enforcers are often in the dark on what happens behind the interfaces of online services due to a lack of knowledge and insight; calls on the Commission to consider reversing the burden of proof for practices that the Commission or national authorities have found to or presume to be addictive; considers that undertakings should have an obligation to develop ethical and fair digital products and services that are free from dark patterns and misleading or addictive design; considers that this constitutes reasonable professional diligence; notes that sharing the outcomes of online services providers' experimentation dashboards, where applicable, and the consequent effects on the users on their platforms with authorities and consumers is instrumental in proving the effects of design features including that the design feature is not addictive; calls on the Commission to examine and review experimentation with consumers in this regard; considers that the definition of 'transactional decision' in the UCPD includes continuing to use the service (e.g. scrolling through a feed), to view advertising content or to click on a link, as described in the Commission guidelines on the UCPD; reiterates that horizontal consumer law must respond to the fact that digital asymmetry also affects enforcers and to this end calls on the Commission to review and where relevant strengthen the Consumer protection cooperation regulation[14];

9.   Calls for an assessment by the Commission of the addictive and mental-health effects of interaction-based recommender systems, in particular hyper-personalised systems, that keep users on the platform as long as possible rather than serve them information in a more neutral manner and pay particular attention to services not covered by obligations under the DSA; calls on the Commission to further clarify the risk assessment and mitigation of very large online platforms (VLOPs) in relation to potential harms to health caused by the addictive design of recommender systems in the enforcement of Article 34 and 35 of the DSA; further calls for an examination of whether and to what extent an obligation not to use interaction-based recommendation systems 'by default' is desirable and whether consumer law should grant consumers meaningful personalisation that would afford them effective control; underlines that it is evident from whistle-blowers' testimonies that safer alternative recommender systems can be employed, such as those based on chronological order, those with more real user control over the content is displayed or those based on more secure settings, insists on the protection of consumers through such safer alternatives even if these alternatives are less profitable for social-media platforms; calls on the Commission to explore opportunities to promote opening up the social network infrastructure so users can access third-party applications or add external functionalities to the original interfaces and thus depart from the original and addictive aspects of social media;

Ethical design of online services

10.   Demands that, in its review of existing EU legislation on addictive design, the Commission puts forward a digital 'right not to be disturbed' to empower consumers by turning all attention-seeking features off by design and allowing users to choose to activate these features by simple and easily accessible means, possibly with an attached

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[14] 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 and repealing Regulation (EC) No 2006/2004, OJ L 345, 27.12.2017, p. 1.

mandatory warning of the potential dangers of activating these opt-in features, offering consumers real choice and autonomy without burdening them with an information overload;

11. Urges the Commission to foster ethical design of online services by default; strongly believes that providers should move away from platform features that encourage a focus on monopolising users' attention; calls on the Commission to create a list of good practices of design features that are not addictive or manipulative and ensure users are fully in control and can take conscious and informed actions online without facing an information overload or being subject to subconscious influences; stresses that policy actions in this area should not place a burden on consumers, notably vulnerable users or their legal guardians, but address the harm caused by addictive design; notes the best practices of 'think before you share', turning all notifications off by default, more neutral online recommendations, such as those based on chronological order or increased user-control, an up-front choice between colour and greyscale apps, or warnings when users have spent more than 15 or 30 minutes on a specific service or automatic locks for certain services after a preset time of use, in particular for minors, the option for users to restrict access to certain apps between certain times, in particular for minors, or weekly summaries of total screen time, further broken down by online service or in-app awareness campaigns concerning potential risks resulting from problematic online behaviours; furthermore, believes that the broad use of educational guidelines and prevention plans as well as awareness-raising campaigns should promote self-control strategies to help individuals develop safer online behaviours and new healthy habits;

12. Believes that any response at the EU level should aim to create meaningful consultation, cooperation, and collaboration with and between stakeholders, and involve in particular lawmakers, public health bodies, healthcare professionals, industry, in particular SMEs, as well as media regulators, consumer organisations and NGOs; stresses that stakeholders are encouraged to work collaboratively to develop, assess and take regulative actions to prevent and minimise the harm associated with problematic online behaviours; calls on the Commission to facilitate a meaningful dialogue between all relevant stakeholders; underlines the need to provide suitable forums for this dialogue;

13. Stresses the significant impact of addictive design on all individuals but especially on children and adolescents; underlines the need for further research into addictive design, its forms and its effects; calls on the Commission to coordinate, facilitate and fund targeted research and calls on the Commission to make additional international efforts to promote regulation of addictive design online in this regard and the need to promote and implement policy initiatives and industry standards on safety by design in digital services and products for children that can foster compliance with children's rights;

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14. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

In an increasingly digital world, nearly everyone is familiar with the urge to grab a phone, look at their screen and check for notifications, sometimes without even knowing why. According to some research, people even reach for their phones more than a hundred times a day and young people spend on average more than seven hours a day online. Problematic smartphone use has been on the rise and the research is clear: digital services are designed intentionally to be addictive and attention grabbing. In an online world, which has become dominated by commercial interests, money is made by amplifying the maximum amount of time or money spent online. This is why online services, such as social media, streaming services, dating apps and web shops rely on psychological tricks to keep consumers online.

Addictive online services can have harmful effects on people, such as increased pressure, stress, poor sleep, information overload, lack of concentration and constant distraction. Young people and children, and in particular girls, are more vulnerable to the symptoms of more serious problematic internet use, such as depression and anxiety, but also a negative impact on learning, memory and shorter attention spans.

This needs to change. While the EU has been effective in cracking down on other services, products and substances that can lead to addiction, such as tobacco, gambling and alcohol the urgent problem of addictive design of online services is currently not regulated. This is striking, considering that Internet-use-related addictions display similar side effects to substance-related addictions, including evidence of tolerance, relapse, and even impact on the brain. Action is urgently needed.

When facing a daily storm of distraction, such as notifications, likes, buzzes, endless scrolling, read-receipts, social pressure and being recommended the most addictive content, we cannot rely on individuals to simply resist temptation. Neither can we rely on an industry to solve, contrary to their own financial interests, the very issue it has created. Therefore, we need strong European rules for a high level of consumer protection against addictive design of online services, including to protect their health and safety, and to ensure a safe level playing field for businesses.

Online services have an enormous potential to enlarge consumers' access to services, information and allow people to connect, communicate and maintain friendships. Consumers must be able to benefit fully from online services without being manipulated or addicted. Only then can the EU fully and safely foster the opportunities of the digital single market for consumers, businesses and society.

ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

Entity and/or person
BEUC
Stiftung Neue Verantwortung
World Health Organisation
Regina van den Eijnden, Professor University of Utrecht
Thijs Launspach
Bureau Jeugd en Media
Trimbos Instituut
5Rights Foundation
Bits of Freedom
AlgorithmWatch
EDRi

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	25.10.2023
Result of final vote	+: 38 –: 0 0: 1
Members present for the final vote	Alex Agius Saliba, Andrus Ansip, Pablo Arias Echeverría, Laura Ballarín Cereza, Alessandra Basso, Adam Bielan, Biljana Borzan, Vlad-Marius Botoş, Anna Cavazzini, Dita Charanzová, Deirdre Clune, Maria Grapini, Svenja Hahn, Arba Kokalari, Marcel Kolaja, Kateřina Konečná, Andrey Kovatchev, Maria-Manuel Leitão-Marques, Antonius Manders, Leszek Miller, Anne-Sophie Pelletier, Miroslav Radačovský, René Repasi, Christel Schaldemose, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Róża Thun und Hohenstein, Tom Vandenkendelaere, Kim Van Sparrentak, Marion Walsmann
Substitutes present for the final vote	Geoffroy Didier, Malte Gallée, Claude Gruffat, Eugen Jurzyca, Catharina Rinzema, Dominik Tarczyński, Stéphanie Yon-Courtin
Substitutes under Rule 209(7) present for the final vote	Eric Minardi

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FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

38	+
ECR	Adam Bielan, Dominik Tarczyński
ID	Alessandra Basso, Eric Minardi
NI	Miroslav Radačovský
PPE	Pablo Arias Echeverría, Deirdre Clune, Geoffroy Didier, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Tom Vandenkendelaere, Marion Walsmann
Renew	Andrus Ansip, Vlad-Marius Botoş, Dita Charanzová, Svenja Hahn, Catharina Rinzema, Róża Thun und Hohenstein, Stéphanie Yon-Courtin
S&D	Alex Agius Saliba, Laura Ballarín Cereza, Biljana Borzan, Maria Grapini, Maria-Manuel Leitão-Marques, Leszek Miller, René Repasi, Christel Schaldemose
The Left	Kateřina Konečná, Anne-Sophie Pelletier
Verts/ALE	Anna Cavazzini, Malte Gallée, Claude Gruffat, Marcel Kolaja, Kim Van Sparrentak

0	-

1	0
ECR	Eugen Jurzyca

Key to symbols:
+ : in favour
- : against
0 : abstention