

Ms. Christine Lagarde
President
European Central Bank
Sonnemannstrasse 20
60314 Frankfurt am Main
Germany

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Brussels, 21 September 2022

Subject: Concerns over the ECB selection of private companies with conflicted interests for the development of user interfaces prototypes for a digital euro

Dear President,

We are writing on behalf of BEUC, The European Consumer Organisation, and the AGE Platform Europe in relation to the recent announcement that the European Central Bank (ECB) has selected private companies to “take part in a prototyping exercise that will explore front-end technical solutions for facilitating digital euro payments”. Although the ECB states that “there are no plans to re-use the prototypes in the subsequent phases of the digital euro project,” we are concerned that the selection of some private companies for this exercise will jeopardise the delivery of a digital euro designed as a public money payment instrument.

As consumer representatives, we are actively supporting and contributing to the work of the ECB on the development of the digital euro within the European Retail Payment Board (ERPB). However, the success of this project depends entirely on whether it delivers on the ground to consumers, with public interest at its centre.

Against this background, the ECB decision to outsource the prototyping of potential user interfaces to private companies with conflicted interests is deeply worrying. Therefore, we have to express our surprise that we have not been consulted via the ERPB on this decision. We have substantial doubts that private companies will develop prototypes which are foremostly designed in the interest of consumers, ensuring privacy by design and by default and guaranteeing their right to make informed choices.

.../...

We are particularly concerned about the selection of Amazon for the development of the user interface for e-commerce payments. Our network of consumer organisations has been investigating Amazon's user interface and has raised serious concerns about the deployment of dark patterns used in the design and structure of their user interface. The European Commission has subsequently taken action via the EU Consumer Protection Cooperation network¹. We have also heard recent reports from consumers that when paying online, after they have logged in to their Amazon account using their personal password, they are not always directed to their PSP-secured site to confirm their payment through a second authentication code as required by EU rules on strong customer authentication.

We therefore consider it inappropriate to call, without a more in-depth and inclusive investigation of the possible drawbacks, on private companies like Amazon to provide technical input to the Eurosystem internal reflection on such an important project as the digital euro.

We sincerely hope that the ECB will take these reasoned concerns into consideration when developing the front-end technical solutions which will be used for the five identified use cases.

Yours sincerely,

Monique Goyens
BEUC Director General

Maciej Kucharczyk
AGE Secretary General

¹ https://ec.europa.eu/commission/presscorner/detail/en/ip_22_4186