

Contact: Sébastien Pant: press@beuc.eu
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EU Parliament committee brings consumer interest forward in Digital Markets Act

The European Parliament's lead, Internal Market and Consumer Protection (IMCO) committee has reinforced proposed legislation (the Digital Markets Act) that would prevent tech giants from engaging in unfair behaviour in digital markets and so benefit consumers.

Monique Goyens, Director General of the European Consumer Organisation (BEUC), said: "MEPs have put consumer interests front and centre, in seeking to strengthen EU rules that curb harmful behaviour by tech giants. It is high time the EU institutions stand up for consumers and inject a healthy dose of fairness and openness in digital markets. EU Ministers must now follow the Parliament's good example by agreeing to strong rules that ensure digital markets work in consumers' interests rather than the narrow, vested interests of Big Tech companies."

"We know from past competition cases that enforcement procedures can take too long, and fines simply do not work with deep-pocketed big-tech companies. The Digital Markets Act has the potential to make companies change their harmful business models for good."

The IMCO Committee has voted to toughen the Commission's proposal to place direct and immediate obligations and prohibitions on Big Tech companies (so-called "gatekeepers") which include a ban on unfairly ranking their own services and products over similar services or products offered by others on their platforms. Such obligations would improve outcomes for consumers faster than competition law enforcement like the Google Shopping case, where the EU General Court recently confirmed that Google's self-favouring behaviour was an abuse of dominance but only after a twelve-year investigation and court case [1].

Among the various points IMCO has improved, BEUC particularly supports the committee's position:

- to make it possible for users of different instant messaging services or social networks to [talk to one another](#), so that Signal or Telegram users could interact with WhatsApp users, a pre-condition for making these markets more privacy friendly and competitive.
- to stop gatekeepers from combining data on users across different services, unless consumers have given their express consent. Consumers who refuse to have their data combined across different services should not receive different or lower quality services than those who consented to their data being combined.
- to red card gatekeepers' use of 'dark patterns', which are behavioural and interface design techniques to subvert consumers' choices and which could be used to circumvent gatekeepers' obligations under the Digital Markets Act.

- to enable consumers to go to court as a group if gatekeepers fail to comply with the Digital Markets Act.

ENDS

[1] See BEUC press statement, '[BEUC applauds EU General Court ruling on Google Shopping case](#)', 10 November 2011.

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