



Information gathering for assisting the European Commission in complying with its obligations under Article 40 (“reporting”) of Regulation (EU) 2017/2394 on Consumer Protection Cooperation

Case study on e-commerce



Table of Contents

1. Introduction	4
2. Market trends and changes in consumer behaviour	5
2.1. Market trends	5
2.2. Covid-19 impact	13
2.3. Trends in consumer behaviour	15
3. Challenges for consumers and consumer protection authorities	17
3.1. Challenges for consumers	17
3.2. Challenges to the enforcement of consumer protection laws	20
4. Compliance of traders	21
4.1. Developments in consumer complaints related to e-commerce.....	21
4.2. Impact of the CPC Regulation according to stakeholders.....	26
4.3. How compliance of companies can be improved	28
5. Conclusion.....	29
6. References	31
6.1. List of sources	31
6.2. List of interviews.....	37

List of Tables

Table 1: Most popular online marketplaces by visits per month, EU (2021).....	9
Table 2: Share of consumers who experienced problems with their purchases and made a complaint, selected market segments, EU-27 (2019-2020)	21

List of Figures

Figure 1: Share of internet users who bought or ordered goods or services for private use in the previous 12 months, by age group, EU-27 (2011-2021).....	5
Figure 2: Share of individuals who bought or ordered goods or services online, by spending, EU-27 (2015-2021).....	6
Figure 3: Share of companies engaged in e-commerce and share of turnover from e-commerce, EU-27 (2011-2020)	7
Figure 4: Share of consumers who bought from sellers from EU and non-EU countries, EU-27 (2011-2021)	8
Figure 5: Share of companies using different channels for e-commerce and share of total turnover generated via these channels, EU-27 (2017-2021).....	9
Figure 6: Numbers of consumer complaints to ECC and their outcomes, EU-27 (2006-2021)	23
Figure 7: Share of e-commerce consumer complaints in total consumer complaints (2018-2022)	24
Figure 8: Countries of origin of consumers and traders in the context of e-commerce related complaints (2018-2020).....	25

1. Introduction

This case study looks at how the CPC Regulation works in practice in the e-commerce sector and establishes how effective CPC actions have been in addressing cross-border infringements of EU consumer law.

E-commerce in the EU is predominantly carried out via dedicated websites (web shops) and/or apps of individual sellers: 87% of online sales occurs via these channels. However, 45% of the EU e-commerce¹ is conducted on online platforms acting as an intermediary between the buyer and the seller.² Next to large international e-commerce marketplaces (e.g. Amazon, eBay, and AliExpress), European consumers also shop on national online platforms. For instance, Bol.com is popular in Dutch speaking countries (the Netherlands and Belgium), eMag in Bulgaria, Hungary and Romania, and Allegro in Poland.

Online marketplaces are particularly prone to cross-border consumer issues as traders often operate in many EU countries or are even based outside the EU (e.g., third-party sellers on Amazon, Chinese marketplaces such as AliExpress, Shein), which makes enforcement of consumer rights more difficult, especially if the trader does not have an establishment in the EU.

Past CPC actions³ have targeted several irregularities on e-commerce websites, including online marketplaces. The CPC coordinated action against AliExpress has led the online marketplace to make EU-wide commitments to ensure that its practices and those of third-party traders trading on the AliExpress marketplace respect EU consumer law.⁴ Several CPC sweeps⁵ have been conducted online, to identify and address breaches of EU consumer law in various sectors.⁶ The enforcement of EU consumer rules against social media platforms for their commercial activities, i.e. advertising, was also already addressed by a common position of national authorities within the CPC Network targeting Facebook, Twitter and Google+.⁷ During the Covid-19 pandemic, the CPC Network took action in relation to the coronavirus-related online scams and unfair practices.⁸

¹ Numbers for 2020 by Eurostat (2022). E-commerce statistics, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics.

² See a description of online market places in Ecommerce Europe (2016). Policy recommendations on the role of online platforms in the e-commerce sector, pp. 4-5, available at: <https://www.ecommerce-europe.eu/wp-content/uploads/2016/04/Ecommerce-Europe-Online-platforms-Position-Paper-April-2016.pdf>.

³ European Commission, CPC Coordinated Actions, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/coordinated-actions_en.

⁴ European Commission. Market places and digital services, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/coordinated-actions/market-places-and-digital-services_en.

⁵ A CPC sweep is a set of checks carried out on websites simultaneously to identify breaches of EU consumer law in a particular sector. For more details on past sweep, please see: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en.

⁶ European Commission. Sweeps, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en.

⁷ European Commission and DGCCRF (n.d.). Common position of national authorities within the CPC Network concerning the protection of consumers on social networks. Available at: http://ec.europa.eu/newsroom/document.cfm?doc_id=43713.

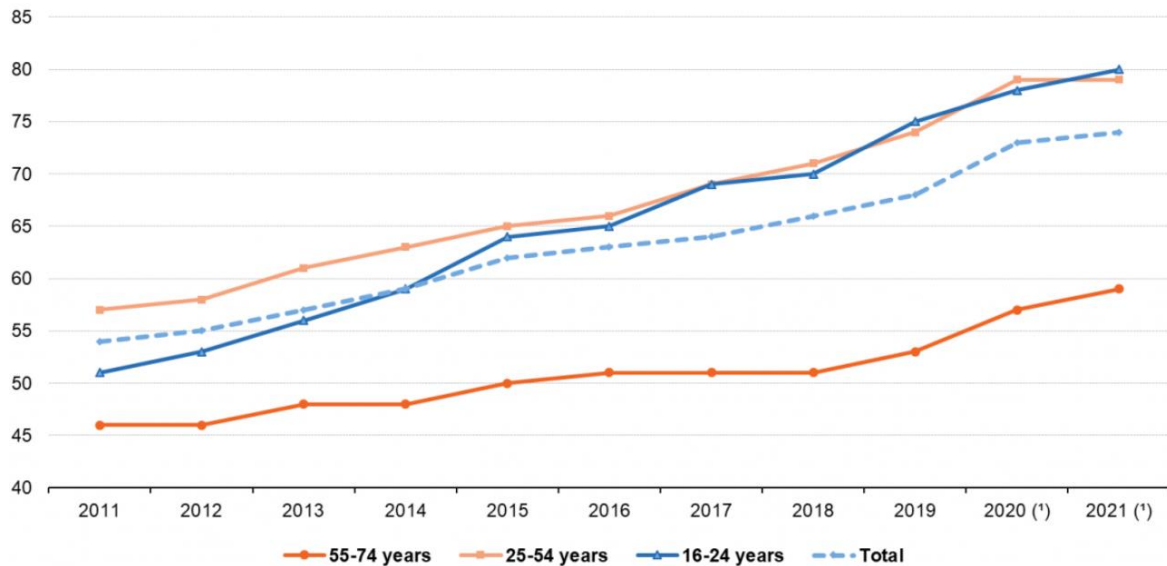
⁸ The overview of actions can be found at European Commission (n.d.). Scams related to Covid-19: Actions of the Consumer Protection Cooperation Network (CPC) on rogue traders during the Covid-19 outbreak, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/scams-related-covid-19_en#common-position.

2. Market trends and changes in consumer behaviour

2.1. Market trends

E-commerce has been growing worldwide and in Europe. As more and more people use the internet every year, more and more of them also become e-commerce consumers (Figure 1). According to Eurostat, the share of e-shoppers among internet users has grown almost to 70% in 2021.⁹ Although the growth is usually driven by the younger cohorts, there was a significant increase in the number of senior e-commerce consumers during the Covid-19 pandemic.

Figure 1: Share of internet users who bought or ordered goods or services for private use in the previous 12 months, by age group, EU-27 (2011-2021)



Source: Eurostat (2022). E-commerce statistics for individuals, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics_for_individuals.

Note: Data for 2020 and 2021 are estimates.

Many consumers now use mobile devices (i.e. tablets or smartphones) for e-commerce. Instead of only researching on mobile devices, consumers increasingly use them to carry out purchases. In 2020, more than half of all online sales took place via a mobile device, and this share is expected to grow. In 2019, France, Germany, Italy, Spain and UK jointly accounted for 125 million smartphone buyers and 59.4 million tablet buyers.¹⁰ The greater

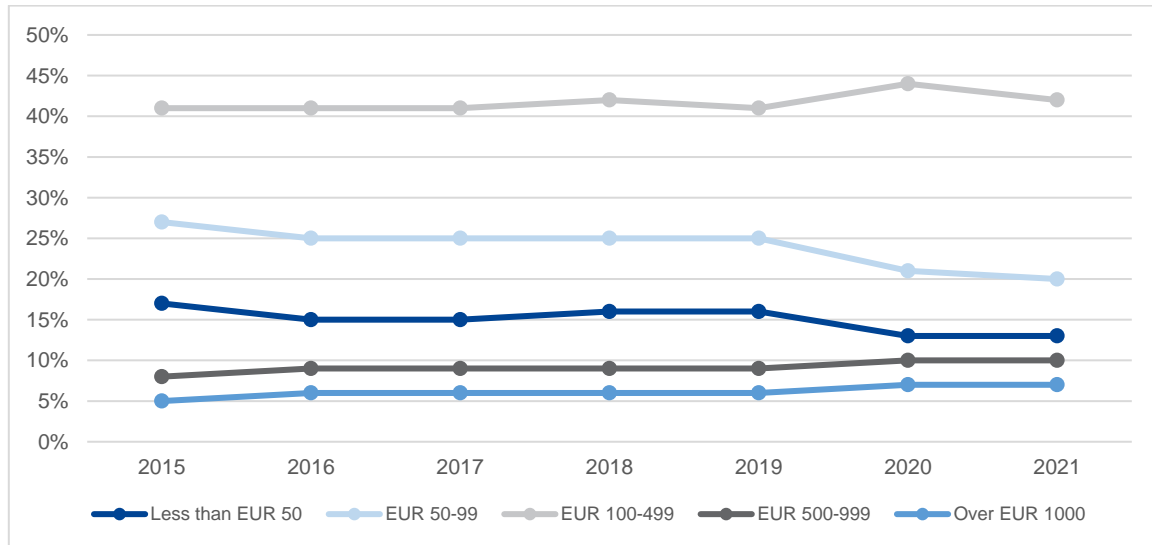
⁹ Eurostat (2022). E-commerce statistics for individuals, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics_for_individuals.

¹⁰ Skeldon P. (2021). More than half of Europe's online sales took place on mobile, UK leads the way, *Internet Retailing*, available at: <https://internetretailing.net/mobile-theme/mobile-theme/more-than-half-of-europes-online-sales-took-place-on-mobile-uk-leads-the-way-22845>.

use of mobile devices can be partially attributed to the Covid-19 pandemic, but more importantly, it is linked to the growing use of mobile payment apps.¹¹

The spending on e-commerce purchases has been largely the same during 2015-2021 (Figure 2), with most consumers spending between EUR 100 and EUR 499. However, there is a slight reduction in the share of smaller purchases (under EUR 50) and a slight increase in expensive purchases (over EUR 500) over this period.

Figure 2: Share of individuals who bought or ordered goods or services online, by spending, EU-27 (2015-2021)

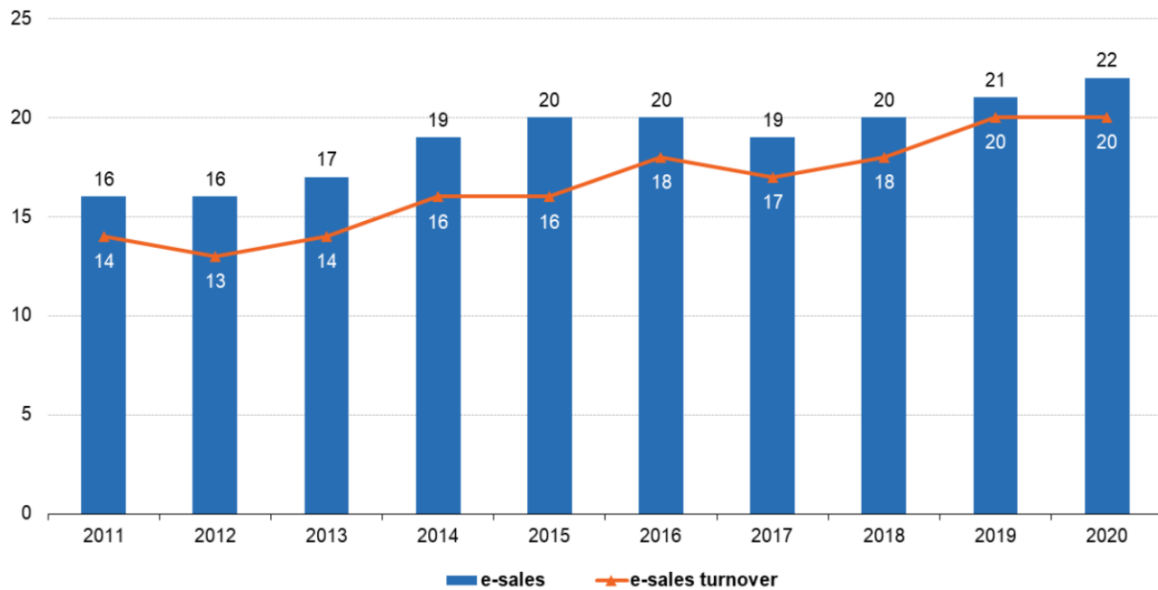


Source: Eurostat (2022). E-commerce statistics for individuals, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics_for_individuals and Internet purchases by individuals (until 2019), available at: https://ec.europa.eu/eurostat/databrowser/view/ISOC_EC_IBUY_custom_2874828/default/table?lang=en

The share of companies engaged in e-commerce has grown up to 22% in 2020 and the turnover generated from e-commerce reached 20% in the same year (Figure 3).

¹¹ Dopson E. (2022). Mobile Commerce: Trends, Statistics, and Best Practices to Capture \$436 Billion in Mobile Spending, *Shopify*, available at: <https://www.shopify.com/enterprise/mobile-commerce-future-trends>; PYMNTS (2022). Deep Dive: The Explosive Growth of Mobile Payments for Cross-Border Transactions, available at: <https://www.pymnts.com/news/cross-border-commerce/cross-border-payments/2022/deep-dive-the-explosive-growth-of-mobile-payments-for-cross-border-transactions>.

Figure 3: Share of companies engaged in e-commerce and share of turnover from e-commerce, EU-27 (2011-2020)



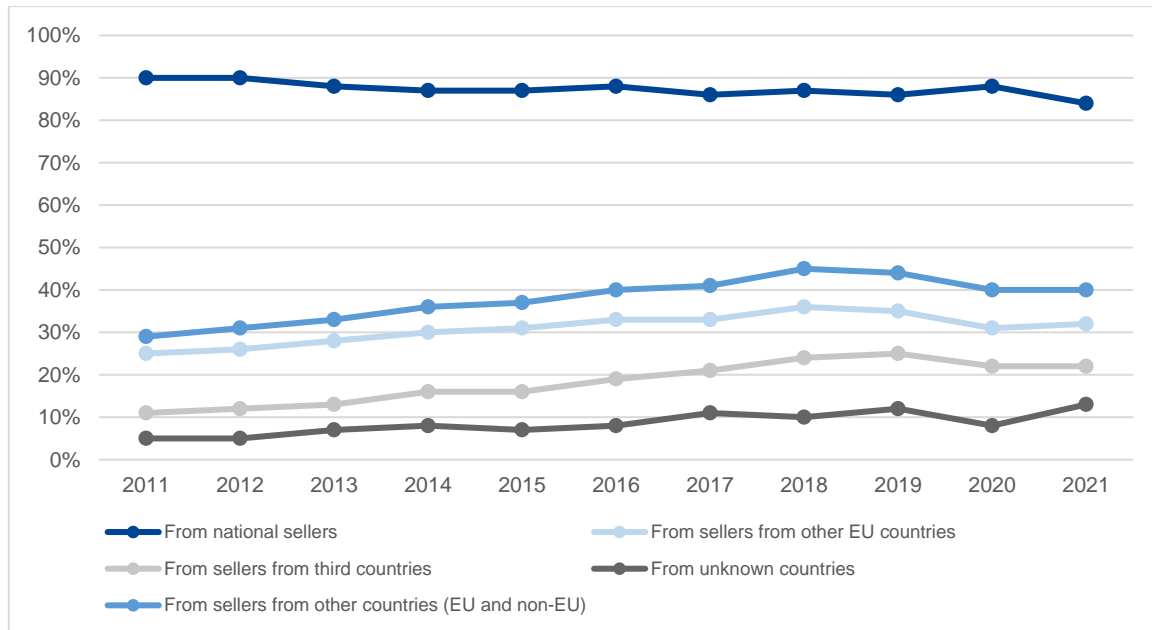
Source: Eurostat (2022). E-commerce statistics, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics.

All these developments have led to an increase in the share of e-commerce in the GDP of EU-27, from 2.53% in 2017 to 3.99% in 2021.¹²

Consumers buy most frequently from online sellers in their own country, (Figure 4). The shares of consumers buying from online sellers outside of their home country have been growing slightly since 2011. As Figure 4 shows, outside of their home country, consumers buy most frequently from sellers from other EU Member States, followed by sellers from third countries and then sellers of unknown to consumers countries.

¹² Ecommerce Europe and EuroCommerce (2021). Europe e-commerce report 2021, p. 14, available at: <https://ecommerce-europe.eu/wp-content/uploads/2021/09/2021-European-E-commerce-Report-LIGHT-VERSION.pdf>.

Figure 4: Share of consumers who bought from sellers from EU and non-EU countries, EU-27 (2011-2021)

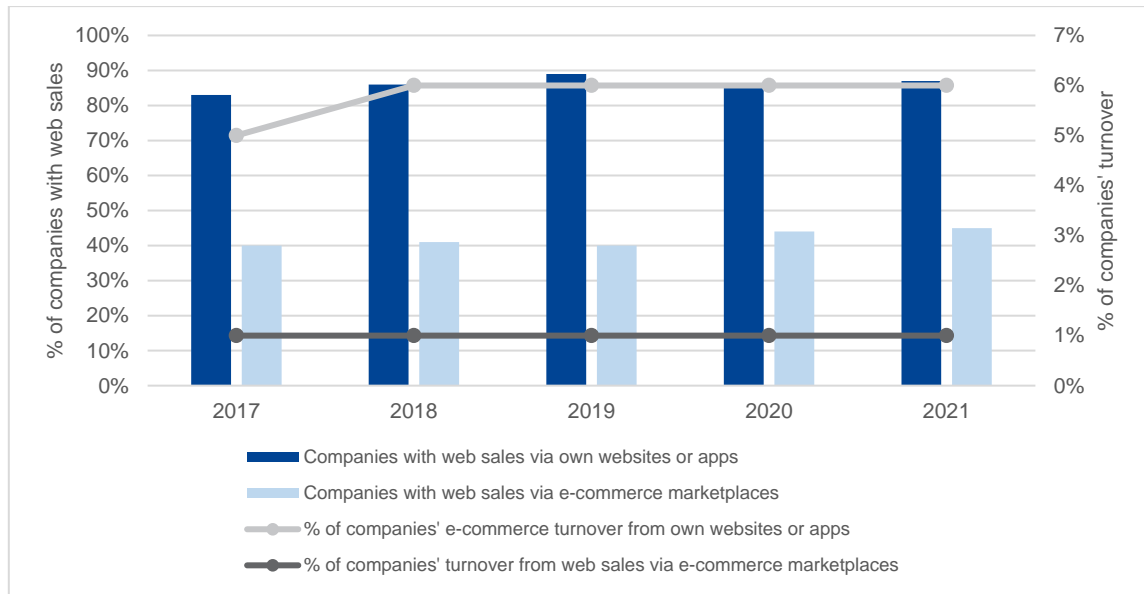


Source: Eurostat (2022). E-commerce statistics for individuals, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics_for_individuals and Internet purchases by individuals (until 2019), available at: https://ec.europa.eu/eurostat/databrowser/view/ISOC_EC_IBUY_custom_2874828/default/table?lang=en.

The e-commerce channel that is most frequently used by companies is their own website or app: over 2017-2021, almost twice as many companies used this channel by comparison to e-commerce marketplaces (platforms). The companies’ turnover generated is also higher via their own websites or apps than via platforms (Figure 5). According to Eurostat, “e-commerce marketplaces, and in general online platforms, may facilitate economic growth by enabling sellers to access new markets and reach new customers at lower cost”.¹³

¹³ Eurostat (2022). E-commerce statistics, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics.

Figure 5: Share of companies using different channels for e-commerce and share of total turnover generated via these channels, EU-27 (2017-2021)



Source: Eurostat (2022). E-commerce statistics, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics.

The use of e-commerce marketplaces generated EUR 115.4 billion EU-wide in 2020 and grew up to EUR 120-150 billion in 2021.¹⁴ Even though there are hundreds of different marketplaces active in the EU, only a handful of them enjoy wide popularity and generate the bulk of revenues. The lists of best-performing marketplaces vary depending on the criteria used,¹⁵ but one inevitably finds at least the following among the top-10: Allegro, AliExpress, Amazon, Asos, eBay, Etsy, Vinted, Zalando and some others. For instance, in 2020, 58% of EU-wide e-commerce revenues were represented jointly by Amazon (EUR 44.3 billion) and eBay (EUR 22.8 billion). The remaining 42% are shared by smaller non-EU marketplaces (EUR 25.8 billion jointly) and EU marketplaces (EUR 22.3 billion jointly).¹⁶ By visits per month, Amazon alone accounted for almost one billion visitors, with eBay in the second place (366.9 million visitors) and Allegro in the third (184.8 million visitors) (Table 1).

Table 1: Most popular online marketplaces by visits per month, EU (2021)

Company	Type	Region/ country	Product category	European visits per month (in mln)
Amazon	B2C	EU	General	980.9

¹⁴ CBCommerce (2021). Top-100 cross-border marketplaces Europe, 2nd edition, available at: <https://www.cbcommerce.eu/press-releases/second-edition-of-the-top-100-cross-border-marketplaces-europe-an-annual-analysis-of-the-best-global-cross-border-platforms/> and Ecommerce News (2021). Europe: online marketplaces sales €120 billion, available at: <https://ecommercenews.eu/europe-online-marketplaces-sales-e120-billion/>.

¹⁵ See, for example, CBCommerce (2021). Top-100 cross-border marketplaces Europe, 2nd edition, available at: <https://www.cbcommerce.eu/press-releases/second-edition-of-the-top-100-cross-border-marketplaces-europe-an-annual-analysis-of-the-best-global-cross-border-platforms/>; Ecommerce News (2021). Europe: online marketplaces sales €120 billion, available at: <https://ecommercenews.eu/europe-online-marketplaces-sales-e120-billion/> and Geldman A. (2021). Online Marketplaces in Europe: Dynamic, Diverse and Disjointed, *Webretailer*, available at: <https://www.webretailer.com/b/online-marketplaces-europe/>.

¹⁶ All numbers based on CBCommerce (2021). Top-100 cross-border marketplaces Europe, 2nd edition, available at: <https://www.cbcommerce.eu/press-releases/second-edition-of-the-top-100-cross-border-marketplaces-europe-an-annual-analysis-of-the-best-global-cross-border-platforms/>.

Information gathering for assisting the European Commission in complying with its obligations
under Article 40 (“reporting”) of Regulation (EU) 2017/2394 on Consumer Protection
Cooperation
Case study on e-commerce

Company	Type	Region/ country	Product category	European visits per month (in mln)
eBay	C2C, B2C	EU	General	366.9
Allegro	C2C, B2C	Poland	General	184.8
Zalando	B2C	EU	Fashion	127.1
bol.com	B2C	Netherlands, Belgium	General	78.8
OTTO	B2C	Germany	General	55
Cdiscount	B2C	France	General	50.5
ManoMano	B2C	EU	Home and garden	44.2
eMag	B2C	Eastern EU countries	General	43.5
Fnac	B2C	France	General	36.2

Source: data from SimilarWeb in Geldman A. (2021). *Online Marketplaces in Europe: Dynamic, Diverse and miDisjointed, Webretailer*, available at: <https://www.webretailer.com/b/online-marketplaces-europe/>.

Market research suggests that competition between online marketplaces in some sectors and/or national or regional markets is getting more intense, and the established players are continuously challenged. For instance, one study¹⁷ found that Zalando dominates the market segment for fashion, sports and beauty products in Belgium, the Netherlands and the Nordic countries. In France, Germany, Italy and Spain, consumers use both Zalando and Amazon to a large extent. In several Central Eastern EU countries (e.g., Poland, Czechia), Amazon was not even among top 10 retailers in 2020: the ranking was led by Allegro, Wildberries and AliExpress which also compete fiercely against each other.¹⁸

Online advertising is getting more expensive with prices rising almost threefold for some platforms.¹⁹ Some sources²⁰ estimate a fivefold increase in advertising cost to generate the same amount of traffic as a few years ago. The reasons for this are stricter data protection laws, better and more frequently used ad blockers, the increased number of businesses competing online, especially during the pandemic, and a greater reliance on social commerce and recommendations from influencers and online “friends”.²¹ Companies without an established brand will have a hard time getting noticed and competing. If the trend continues, it may lead to changes in business models and creation of new business models, but – potentially – also to further market concentration around small number of technically-savvy actors.

One of such change to business models is already firmly underway: the use of social media platforms (e.g., Instagram, TikTok, Facebook, Pinterest) for e-commerce, also called social

¹⁷ Postnord (2021). E-commerce in Europe 2020, pp. 18-19, available at: <https://www.postnord.se/siteassets/pdf/rapporter/e-commerce-in-europe-2020.pdf?fbclid=IwAR0TIdAohWhbJlWL8orplUZQh3CW3uxPm2fIGnTwqk1cdzWJkWzZz-b6AK0>.

¹⁸ Cheng E. (2021). Alibaba is ramping up in Europe, and is already ahead of Amazon in one region, *CNBC*, available at: <https://www.cnbc.com/2021/10/29/eu-ecommerce-alibaba-competes-with-amazon-in-europe-for-singles-day.html>.

¹⁹ Codrington T. (2022). The price of digital ads has skyrocketed – here’s how to counteract it, *The Drum*, available at: <https://www.thedrum.com/opinion/2022/04/28/the-price-digital-ads-has-skyrocketed-here-s-how-counteract-it>; Loeb W. (2021). The Rising Costs Of Digital Advertising Will Force Spending Shifts, *Forbes*, available at: <https://www.forbes.com/sites/walterloeb/2021/08/04/rising-costs-of-digital-advertising-will-force-spending-shifts/?sh=aadee515a7cd>

²⁰ PYMNTS (2022). Relationship Commerce Helps Brands Reduce Customer Acquisition Costs, PYMNTS.com, available at: <https://www.pymnts.com/commerce-connected/2022/relationship-commerce-helps-brands-reduce-customer-acquisition-costs/>.

²¹ Shopify (2022). Future of Ecommerce, available at: <https://www.shopify.com/research/future-of-commerce/future-of-ecommerce>; PYMNTS (2022). Relationship Commerce Helps Brands Reduce Customer Acquisition Costs, PYMNTS.com, available at: <https://www.pymnts.com/commerce-connected/2022/relationship-commerce-helps-brands-reduce-customer-acquisition-costs/>; AdSkate (2022). Digital Advertising Prices Are Rising. Here Is Why and What to Do About It, available at: https://www.linkedin.com/pulse/digital-advertising-prices-rising-here-why-what-do-adskate-inc/?trk=organization-update-content_share-article

commerce or social shopping. A range of activities is taking place on social media, from brand marketing to advertising of specific products to customer service to actual buying or selling of products, and various platforms are working on developing further features to make these activities more impactful.²² Facebook allows posting advertisements and messaging between sellers and buyers already for many years; however, the buyer would be forwarded then to an external website of the seller to make a transaction.²³ Instagram had a “shop now” button since 2016, but it was first reserved for special partners. Since 2020, there is Instagram Shopping (created to help businesses during the pandemic),²⁴ allowing businesses to create their own virtual shops on the platform and to select a method for check-out.²⁵ Pinterest has “buyable pins” marking items that users can then buy using a credit card or Apple Pay.²⁶ Also “idea pins” of products recommended by influencers can be tagged with affiliate links (including showing the price) to lead users to the external web shops.²⁷

Arguably, a qualitatively new social commerce business model was developed in 2021 by Shopify and TikTok linking up and creating TikTok Shopping (allegedly to support businesses in the pandemic).²⁸ Basically, this brings together audiences of TikTok and Shopify. Shopping can be done in the TikTok app, to which Shopify sellers can connect to create shops on the social media platform. Links to products can be provided directly in the TikTok posts. TikTok users can then buy products without leaving the platform following on the video recommendations by their favourite influencers. The business model is called livestream shopping and is an emerging trend.²⁹ Twitter and Meta (Facebook and Instagram) have also joined the trend. In 2022, Twitter launched a feature called Twitter Shops that works similarly to the described TikTok shops.³⁰ Facebook and Instagram accounts can be both linked to Shopify accounts and act as a shopping channel.³¹

China is leading the world in e-commerce trends, where livestream shopping represented 9%-10% of total e-commerce sales already in 2020.³² AliExpress has already introduced

²² See description of developments in Shopify (2022). Future of Ecommerce, available at: <https://www.shopify.com/research/future-of-commerce/future-of-ecommerce#Trend3>.

²³ Riefa Ch. (2019). Consumer Protection on Social Media Platforms: Tackling the Challenges of Social Commerce, p. 3, available at: <https://ssrn.com/abstract=3373704>.

²⁴ Instagram (2020). Introducing: Shops on Instagram, available at: <https://business.instagram.com/blog/introducing-shops-on-instagram>.

²⁵ Meta (n.d.). Checkout methods and eligibility requirements, available at: https://www.facebook.com/help/instagram/464948687848599/?helpref=related_articles.

²⁶ Riefa Ch. (2019). Consumer Protection on Social Media Platforms: Tackling the Challenges of Social Commerce, p. 3, available at: <https://ssrn.com/abstract=3373704>.

²⁷ Pinterest (n.d.). Tag products in your Idea Pins, available at: <https://help.pinterest.com/en/business/article/tag-products-in-your-idea-pins> and Pinterest (n.d.). Get paid on Pinterest, available at: <https://business.pinterest.com/how-to-make-money-on-pinterest/>.

²⁸ Wood Ch. (2021). TikTok and Shopify introduce TikTok Shopping, *MarTech*, available at: <https://martech.org/tiktok-and-shopify-introduce-tiktok-shopping/>.

²⁹ Simpson E. (2021). TikTok jumps on online shopping bandwagon, *BBC*, available at: <https://www.bbc.com/news/business-59563238>.

³⁰ Goodwin D. (2022). Twitter tests e-commerce waters with new feature for in-app purchases, *MarTech*, available at: <https://martech.org/twitter-tests-e-commerce-waters-with-new-feature-for-in-app-purchases/>. Twitter, however, had a “buy” button as early as 2014 for selected brand partners. See Parish W. (2014). Buy now? How social networks are approaching in-app purchases, *Marketing Dive*, available at: <https://www.marketingdive.com/news/buy-now-how-social-networks-are-approaching-in-app-purchases/310020/>.

³¹ Shopify (n.d.). Grow your business with Facebook and Instagram — from one place, available at: <https://www.shopify.com/facebook-instagram>

³² Retail Asia (2020). How shoppertainment powers the growth of AliExpress, available at: <https://www.retailnews.asia/how-shoppertainment-powers-the-growth-of-aliexpress/>; Arora A., Glaser D., Kluge Ph., Kim A., Kohli S and Sak N. (2021). It's showtime! How live commerce is transforming the shopping experience, McKinsey, available at: <https://www.mckinsey.com/business-functions/mckinsey-digital/our-insights/its-showtime-how-live-commerce-is-transforming-the-shopping-experience>.

livestream shopping to the EU market, working with influencers and agencies in France, Spain and Poland and recruiting local stores for livestreams.³³ The initiative AliExpress Connect was launched to further push livestreaming: it connects influencers with brands.³⁴ Livestreaming is considered in Asia a part of a larger new business model called shoppertainment – a concept blending “e-commerce, entertainment and everyday lifestyle, engaging consumers in a highly immersive and interactive experience, such as livestreaming events, pictures, videos, and interactive games, to ultimately drive transactions”.³⁵ AliExpress is bringing other elements of shoppertainment to Europe as well. For instance, it allows European users to connect with friends and family through shopping, earn bonuses on their purchases and share gift and other items on the platform. Basically, the platform aims to create connections across the border and across different markets.³⁶ There can be 3D showrooms (e.g. already used by IKEA on Alibaba), literal dialogue between the brand and the consumer target group, challenges and in-app games.³⁷ It remains to be seen how quickly and in what form the European consumers embrace these e-commerce trends.³⁸ Yet, in any case, livestream shopping is going to present a regulatory challenge from the perspective of consumer protection but also competition law, intellectual property law, data protection, privacy, advertising and media law.³⁹

The social commerce trend is inextricably linked to the established phenomenon of influencer marketing.⁴⁰ This type of marketing has become one of the most popular and effective, especially considering the increasing costs of return for traditional online advertising. Influencers are present on all leading social media platforms (e.g., Instagram, TikTok, YouTube) and are able to leverage their following from platform to platform. The use of influencers by various companies and platforms is growing and also changing. Some platforms establish agencies and initiatives to link influencers and brands (as in the example of AliExpress Connect above). Virtual influencers are developed based on artificial intelligence. There is also a shift from influencers to creators, who are considered independent content creators or curators. Influencers pose risks to consumer protection because some of them lack transparency with regard to their sponsorships, separation between commercial and non-commercial content (blended content), poorly informed advice or misleading information and impacts on the vulnerable consumers, considering the main audiences of certain social media.

³³ Briggs F. (2021). Shoppertainment is the next frontier of e-commerce in Europe, AliExpress shows, *Retail Times*, available at: <https://www.retailtimes.co.uk/shoppertainment-is-the-next-frontier-of-e-commerce-in-europe-aliexpress-shows/>; Skeldon P. (2021). More than half of Europe’s online sales took place on mobile, UK leads the way, *Internet Retailing*, available at: <https://internetretailing.net/mobile-theme/mobile-theme/more-than-half-of-europes-online-sales-took-place-on-mobile-uk-leads-the-way-22845>.

³⁴ AliExpress (n.d.). AliExpress Connect, available at: <https://connect.aliexpress.com/>.

³⁵ Briggs F. (2021). Shoppertainment is the next frontier of e-commerce in Europe, AliExpress shows, *Retail Times*, available at: <https://www.retailtimes.co.uk/shoppertainment-is-the-next-frontier-of-e-commerce-in-europe-aliexpress-shows/>.

³⁶ PR Newswire (2020). AliExpress invests in Social Commerce Initiatives to help users save hundreds, available at: <https://www.prnewswire.co.uk/news-releases/aliexpress-invests-in-social-commerce-initiatives-to-help-users-save-hundreds-818239556.html>.

³⁷ Lexology (2021). Shoppertainment & Livestreaming Gain Steam in Europe’s E-Commerce, available at: <https://www.lexology.com/library/detail.aspx?g=39bc016a-39a7-4191-8130-c48109247f21>.

³⁸ Internet Marketing Unie (2022). Wordt livestream shopping in de Westerse wereld populair als in China? Available at: <https://imu.nl/wordt-livestream-shopping-in-de-westerse-wereld-populair-als-in-china/>.

³⁹ There are not yet legal studies for the EU, but scholar in Canada already started thinking about implications, see IP Osgoode (2020). The Legal Considerations of Live-Stream Shopping, available at: <https://www.iposgoode.ca/2020/08/the-legal-considerations-of-live-stream-shopping/>.

⁴⁰ See for details Michaelsen F., Collini L., Jacob C., Goanta C., Kettner S., Bishop S., Hausemer P., Thorun Ch and Yesiloglu S. (2022). The impact of influencers on advertising and consumer protection in the Single Market, Study for the IMCO Committee of the European Parliament, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU\(2022\)703350_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU(2022)703350_EN.pdf)

The use of big data analytics, artificial intelligence, sophisticated website tracking (e.g., through third-party cookies, social media plug-ins like Facebook Like button) and other techniques increase the personalisation of e-commerce. On the one hand, this trend is advantageous and even expected by consumers as they get more relevant products and services suggestions at more suitable prices. It is also beneficial for companies that can thus improve their sales, increase customer loyalty and satisfaction and improve customer experience altogether, which translates into repeated purchases and referrals.⁴¹ On the other hand, this creates an information asymmetry between consumers and businesses, allows companies to amass (personalised) data about consumers, which increases cybersecurity risks and may lead to privacy and data protection violations.⁴²

2.2. Covid-19 impact

The Covid-19 pandemic stimulated further growth of e-commerce in Europe. In the EU-27, total retail sales dropped by 17.9%, but online sales and sales via mail order houses grew 30% in April 2020 compared to April 2019.⁴³ Other research estimates that e-commerce in Europe grew two- to threefold during the pandemic.⁴⁴ However, not all product segments benefitted equally: clothing and food were most popular items to buy, followed by electronics, beauty and pharmacy products.⁴⁵ This also indicates that items that previously were bought more or even exclusively in brick-and-mortar stores (e.g. food, furniture, home and garden accessories, pharmacy products) moved online.

Data show a significant increase of web shop traffic during the pandemic, which has a strong correlation with actual online purchases. In 2020, the traffic grew 13% on average by comparison to 2019 (with strong variation per month). The highest growth of traffic was experienced by online stores in food and pet supplies (30%), home and garden (27%), books, music, films and games (25%) and electronics (24%).⁴⁶

As already indicated above, during the pandemic, many consumers who were previously reluctant to shop online started doing so. The increase was considerable for the older generation.⁴⁷ For instance, in France, over-65-year-olds increased their spending on online shopping in 2020 by 35% (versus 3% increase for offline shopping).⁴⁸ In the Nordic countries, people of 56-80 years old increased their online shopping for food and groceries

⁴¹ Lindecrantz E., Tjon Pian Gi M. and Zerbi S. (2020). Personalizing the customer experience: Driving differentiation in retail, McKinsey, available at: <https://www.mckinsey.com/industries/retail/our-insights/personalizing-the-customer-experience-driving-differentiation-in-retail>.

⁴² Heidary K. (2020). E-commerce and consumer data: Is regulation needed? *Leiden Law Blog*, available at: <https://leidenlawblog.nl/articles/e-commerce-and-consumer-data-is-regulation-needed>.

⁴³ OECD (2020). E-commerce in the time of Covid-19, available at: <https://www.oecd.org/coronavirus/policy-responses/e-commerce-in-the-time-of-covid-19-3a2b78e8/>.

⁴⁴ Ecommerce News (2021). European ecommerce grew two- to threefold amidst pandemic, available at: <https://ecommercenews.eu/european-ecommerce-grew-two-to-threefold-amidst-pandemic/>.

⁴⁵ See Ecommerce News (2021). European ecommerce grew two- to threefold amidst pandemic, available at: <https://ecommercenews.eu/european-ecommerce-grew-two-to-threefold-amidst-pandemic/>; OECD (2020). E-commerce in the time of Covid-19, available at: <https://www.oecd.org/coronavirus/policy-responses/e-commerce-in-the-time-of-covid-19-3a2b78e8/>; Eurostat (2022). Online shopping ever more popular, available at: <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20220202-1>.

⁴⁶ All numbers from Ecommerce Europe and EuroCommerce (2021). Europe e-commerce report 2021, pp. 20-22, available at: <https://ecommerce-europe.eu/wp-content/uploads/2021/09/2021-European-E-commerce-Report-LIGHT-VERSION.pdf>.

⁴⁷ OECD (2020). E-commerce in the time of Covid-19, available at: <https://www.oecd.org/coronavirus/policy-responses/e-commerce-in-the-time-of-covid-19-3a2b78e8/>.

⁴⁸ The Economist (2021). Older consumers have learned new tricks in the pandemic, available at: <https://www.economist.com/business/2021/05/06/older-consumers-have-learned-new-tricks-in-the-pandemic>.

the most (24% increase).⁴⁹ This trend, however, also means that many more vulnerable and digitally less affluent consumers joined e-commerce.

The developments in company business models correspond to the above-described findings. During 2020, 12% of EU companies started or increased efforts to sell goods or services online,⁵⁰ due to the pandemic-related restrictions. This also means more competition between online sellers. The trend differed not only across countries but also e-commerce segments. For example, 23% of companies in retail and almost 20% of companies in repair of vehicles and motorcycles decided to move online or increase efforts for selling online versus only 4% of those active in “electricity, gas, steam and air conditioning, water supply, sewage, waste management and remediation”.⁵¹

The increased online shopping corresponds with the move toward social commerce, livestream shopping and shoppertainment by the major online platforms described in the previous Section 1.1. As already noted, some of the platforms specifically stated that they launched their “shops” and other features to support businesses in the pandemic and provide them with additional channels and tools for online sales. Hence, the pandemic accelerated innovation and the development of new business models. At the same time, these trends target more vulnerable consumers because children and young people are more likely to use some of the social networks (e.g., TikTok, Instagram).⁵²

Sustainability has become an important trend in shopping during the pandemic. Both online and offline, more consumers of all demographics started to buy products that are better for the environment and let environmental concerns influence their purchasing decisions, across all product groups. A majority of these consumers also believe that this is a permanent change for them.⁵³ Besides the increase in demand for sustainable products and services, e-commerce saw the consequences of this trend in the unprecedented rise of resale and second-hand platforms (e.g. Vinted, Vestiaire Collective, leboncoin). The resale fashion segment is now growing 11 times faster than traditional retail.⁵⁴ It is expected that the growth rates persist, and that the second-hand fashion market will soon overtake the fast fashion market.⁵⁵

The resale and second-hand marketplaces that are growing very fast are usually C2C, which is likely to bring new regulatory challenges. In addition, the growth is driven mainly by younger consumers (i.e., Gen Z accounted for 43% of the market volume in 2021).⁵⁶ It

⁴⁹ Sandberg D., Sjöberg F. and Andersson M. (2021). Swedish Consumer Sentiment 2021, available at: <https://www.bcg.com/en-nor/publications/2021/swedish-consumer-sentiment-report>.

⁵⁰ Eurostat (2022). Impact of Covid-19 on e-sales of enterprises, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Impact_of_COVID-19_on_e-sales_of_enterprises.

⁵¹ Eurostat (2022). Impact of Covid-19 on e-sales of enterprises, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Impact_of_COVID-19_on_e-sales_of_enterprises.

⁵² See the age statistics of users at Statista (2022). Distribution of TikTok users worldwide as of April 2022, by age and gender, available at: <https://www.statista.com/statistics/1299771/tiktok-global-user-age-distribution/> and Statista (2022). Distribution of Instagram users worldwide as of April 2022, by age group, available at: <https://www.statista.com/statistics/325587/instagram-global-age-group/>.

⁵³ Based on European Commission (2021). Commission's new consumer survey shows impact of Covid-19 and popularity of 'greener' choices, press release available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1104 and Sandberg D., Sjöberg F. and Andersson M. (2021). Swedish Consumer Sentiment 2021, available at: <https://www.bcg.com/en-nor/publications/2021/swedish-consumer-sentiment-report>.

⁵⁴ CBCommerce (2021). The rise of the resale second-hand market, available at: <https://www.cbcommerce.eu/press-releases/the-rise-of-the-resale-second-hand-market/>.

⁵⁵ CBCommerce (2021). The rise of the resale second-hand market, available at: <https://www.cbcommerce.eu/press-releases/the-rise-of-the-resale-second-hand-market/>.

⁵⁶ Goddevrind V., Schumacher T., Seetharaman R. and Spillecke D. (2021). C2C e-commerce: Could a new business model sell more old goods? McKinsey, available at: <https://www.mckinsey.com/industries/technology-media-and-telecommunications/our-insights/c2c-ecommerce-could-a-new-business-model-sell-more-old-goods>; CBCommerce (2021).

has already been observed that the C2C platforms are innovating on their business models. One change is that the commission or fee for the purchase is transferred to the buyer (previously there was no fee, or the fee was paid by the seller). Another new business model is in offering additional services, while the purchase itself is not subject to fees. Additional services may be buyer-oriented (e.g. buyer protection, authenticity checks or certification for certain products) or seller-oriented (e.g. pricing tools, customer insight, sales training).⁵⁷

Many of the pandemic-related developments in e-commerce are there to stay. Social commerce in Europe is expected to grow annually by about 36% during 2022-2028.⁵⁸ Many consumers (especially the newcomers to e-commerce) expect to continue using home delivery and online shopping at the same level after the pandemic.⁵⁹

2.3. Trends in consumer behaviour

The trend to sustainable consumption, as mentioned above, has intensified during the Covid-19 pandemic and is there to stay. Consumers are looking for more green options (including second-hand products) and pay attention to value chains of companies. In line with this, more consumers are trying to buy from local producers or support local businesses in general.⁶⁰ There is also a greater desire for value-based shopping, even if it costs more, some studies suggest.⁶¹ Hence, the consumers demand more transparency and want to know more about the origin of the products, their production, and companies' value chain – both from EU businesses and businesses from third countries. According to some interviewed industry stakeholders, these expectations are not necessarily linked to the willingness to pay more.

Expectations for delivery of online purchases time vary greatly from country to country, although, in general, Amazon has considerably increased consumer expectations for very quick delivery. Consumers in Germany, the Netherlands and Poland have very high demands of a quick delivery, whereas e-commerce consumers in other countries do not.⁶² In line with the sustainability trend, close to one third of consumers are willing to pay extra

Top-100 cross-border marketplaces Europe, 2nd edition, available at: <https://www.cbcommerce.eu/press-releases/second-edition-of-the-top-100-cross-border-marketplaces-europe-an-annual-analysis-of-the-best-global-cross-border-platforms/>.

⁵⁷ Goddevrind V., Schumacher T., Seetharaman R. and Spillecke D. (2021). C2C e-commerce: Could a new business model sell more old goods? McKinsey, available at: <https://www.mckinsey.com/industries/technology-media-and-telecommunications/our-insights/c2c-e-commerce-could-a-new-business-model-sell-more-old-goods>.

⁵⁸ Business Wire (2022). Europe Social Commerce Market Report 2022: Market is Expected to Grow by 36.5% to Reach \$67,203.7 Million in 2022 - Forecast 2028 - ResearchAndMarkets.com, available at: <https://www.businesswire.com/news/home/20220506005317/en/Europe-Social-Commerce-Market-Report-2022-Market-is-Expected-to-Grow-by-36.5-to-Reach-67203.7-Million-in-2022---Forecast-2028---ResearchAndMarkets.com>.

⁵⁹ Many studies have documented that new digital habits are likely to stay. See, for example, Sandberg D., Sjöberg F. and Andersson M. (2021). Swedish Consumer Sentiment 2021, available at: <https://www.bcg.com/en-nor/publications/2021/swedish-consumer-sentiment-report>; OECD (2020). E-commerce in the time of Covid-19, available at: <https://www.oecd.org/coronavirus/policy-responses/e-commerce-in-the-time-of-covid-19-3a2b78e8/>.

⁶⁰ Sandberg D., Sjöberg F. and Andersson M. (2021). Swedish Consumer Sentiment 2021, available at: <https://www.bcg.com/en-nor/publications/2021/swedish-consumer-sentiment-report>; European Commission (2021). Commission's new consumer survey shows impact of COvid-19 and popularity of 'greener' choices, press release available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1104.

⁶¹ Shopify (2022). The future of commerce, available at: <https://www.shopify.com/research/future-of-commerce>.

⁶² Postnord (2021). E-commerce in Europe 2020, p. 7, available at: <https://www.postnord.se/siteassets/pdf/rapporter/e-commerce-in-europe-2020.pdf?fbclid=IwAR0TIdAohWhbJIWL8orplUZQh3CW3uxPm2fIGnTgwq1cdzWJkVzZz-b6AK0>.

for an eco-friendlier delivery,⁶³ though some interviewed industry stakeholders did not observe such willingness.

Market research suggests that consumers not only fully embraced the personalisation of online shopping. Research ⁶⁴ shows that 71% of consumers expect personalisation from brands, and 76% get frustrated if it is lacking. 76% of consumers are more likely to consider buying from brands that personalise, and 78% are more likely to repurchase from them and to recommend them to others. Even though consumers are aware of tools to block website tracking and data protection regulations are stricter, online shoppers expect businesses to have a high level of customer knowledge in creating personal messaging and offerings. The example of personalisation named by consumers include: making the store navigation easy (75% of consumers), providing relevant product recommendations (67%), tailored messaging (66%), offering targeted promotions (65%).⁶⁵

Consumers’ level of trust in online marketplaces is high, linked to the platforms’ brand, customer services and return policies. This is connected to expectations of the safety of products that people buy online. One study found that focus group participants expected the responsibilities of online marketplaces to be on par with the responsibilities of sellers.⁶⁶

The latter expectation may be linked to the fact that consumers no longer see online shopping as different from shopping in brick-and-mortar stores.⁶⁷ According to some of the interviewed industry stakeholders, for consumers, the combination of online and offline shopping (i.e. omni-channel shopping) has become a norm, not least due to the pandemic. This also leads to the expectation of the same rights and responsibilities in the online and offline world.

Most consumers expect to find purchasing advice on social media, among trusted family, friends and influencers, and actively search for it before buying something. Many studies⁶⁸ have documented the important role reviews play in consumer decisions, helping them assess products’ and services’ quality and safety, the trustworthiness of the seller and reputation of the platform. Reviews gain in significance for consumers with the rise of social commerce and influencer marketing. Three-quarters of consumers trust opinions of friends, family and influencers found on social media; most teenagers trust influencers more than celebrities, and a majority of women use social media to get purchasing advice.⁶⁹

⁶³ Postnord (2021). E-commerce in Europe 2020, p. 23, available at: <https://www.postnord.se/siteassets/pdf/rapporter/e-commerce-in-europe-2020.pdf?fbclid=IwAR0TIdAohWhbJIWL8orplUZQh3CW3uxPm2fIGnTwgk1cdzWJkVzZz-b6AK0>

⁶⁴ Arora N., Liu W. W., Robinson K., Stein E., Ensslen D., Fiedler L., and Schüler G. (2021). The value of getting personalization right—or wrong—is multiplying, McKinsey, available at: <https://www.mckinsey.com/business-functions/growth-marketing-and-sales/our-insights/the-value-of-getting-personalization-right-or-wrong-is-multiplying>.

⁶⁵ Arora N., Liu W. W., Robinson K., Stein E., Ensslen D., Fiedler L., and Schüler G. (2021). The value of getting personalization right—or wrong—is multiplying, McKinsey, available at: <https://www.mckinsey.com/business-functions/growth-marketing-and-sales/our-insights/the-value-of-getting-personalization-right-or-wrong-is-multiplying>.

⁶⁶ Which? (2019). Online marketplaces and product safety, Policy paper, pp. 15-16, available at: <https://www.which.co.uk/policy/consumers/5234/onlinemarketplaces>.

⁶⁷ Which? (2019). Online marketplaces and product safety, Policy paper, p. 15, available at: <https://www.which.co.uk/policy/consumers/5234/onlinemarketplaces>.

⁶⁸ For example, Holleschovsky N/I. and Constantinides E. (2016). Impact of Online Product Reviews on Purchasing Decisions, available at: <https://ris.utwente.nl/ws/portalfiles/portal/5399228/Impact+of+online+product+reviews+on+purchasing+decisions++Final+W+EBIST+2016.pdf>; von Helversen B., Abramczuk K., Kopeć W. and Nielek R. (2018). Influence of consumer reviews on online purchasing decisions in older and younger adults, in: Decision Support Systems 113, pp. 1-10, available at: <https://www.sciencedirect.com/science/article/pii/S0167923618300861>; Which? (2019). Online marketplaces and product safety, Policy paper, p. 15, available at: <https://www.which.co.uk/policy/consumers/5234/onlinemarketplaces>.

⁶⁹ See numbers from variety of studies quoted in Digital Marketing Institute (2021). 20 Surprising Influencer Marketing Statistics, available at: <https://digitalmarketinginstitute.com/blog/20-influencer-marketing-statistics-that-will-surprise-you>.

3. Challenges for consumers and consumer protection authorities

3.1. Challenges for consumers

The changes in the e-commerce market have led to new challenges for consumers and/or exacerbate some of the existing problems. Most of the challenges described below can be summarised under the heading of insufficient provision of information to the consumers in relation to transactions concluded online.

The price transparency (or rather the lack of it) has obtained a new quality. On the one hand, due to the increased use of data and algorithms, some traders use personalised pricing (e.g. location-based prices, different prices for different end-devices) and dynamic pricing methods, not always informing consumers about it and not explaining how exactly these prices were calculated.⁷⁰ Consumers may not know whether and why personalisation of prices is happening and whether it is to their advantage and do not have an option to refuse.⁷¹ On the other hand, when buying from sellers on online marketplaces, the consumer is not always explicitly informed whether the product ordered is being delivered from the seller located in the EU, EEA or third countries.⁷² Hence, additional (customs) fees are often an unpleasant surprise upon the delivery.

Linked to the latter point, consumers may have difficulty understanding who their transaction partner is. Many marketplaces (e.g., eBay, Vinted, etsy) attract a mix of sellers (i.e. business users and other consumers) and do not distinguish transparently between them. However, this is vital information that is also required under EU consumer law. Furthermore, the exact identity of the seller is often unclear, especially if the platform is selling products along with other, third-party sellers. Consumers may not know whether they are buying from an entrepreneur, an overlay service, a platform or some other actor.⁷³ In such cases, consumers may confuse obligations stemming from different contracts (e.g. the sales contract and the contract on the usage of the platform (which is often free of monetary payment)). On top of this, consumers may assume that the location of the seller and of the marketplace is the same (or at least located in the EU/EEA) and realise only at the very end of the ordering process when effectuating a payment, or – in the worst case – when the order is delivered that this is not the case.⁷⁴

The problems with the information provided are particularly grave on social media that are used increasingly as a marketing channel. The main reason for this is that social media

⁷⁰ Verbraucherzentrale (2019). Individualisierte Preisdifferenzierung im deutschen Online-Handel: Eine Untersuchung der Verbraucherzentralen – November 2018, available at: <https://www.verbraucherzentrale.de/sites/default/files/2019-09/marktwaechter-untersuchung-individualisierte-preisdifferenzierung.pdf>; Verbraucherzentral (2019). Dynamische Preisdifferenzierung im deutschen Online-Handel, available at: <https://www.verbraucherzentrale.de/marktbeobachtung/dynamische-preisdifferenzierung-im-deutschen-onlinehandel-40212>.

⁷¹ Ipsos, London Economics and Deloitte (2018). Consumer market study on online market segmentation through personalised pricing/offers in the European Union, p. 132, available at: https://ec.europa.eu/info/publications/consumer-market-study-online-market-segmentation-through-personalised-pricing-offers-european-union_en.

⁷² BEUC (2019). WTO e-commerce negotiations: BEUC recommendations, p. 3, available at: https://www.beuc.eu/publications/beuc-x-2019-014_wto_e-commerce_negotiations_-_beuc_recommendations.pdf.

⁷³ See the detailed explanations and examples given in Riefa Ch. (2019). Consumer Protection on Social Media Platforms: Tackling the Challenges of Social Commerce, pp. 3-4, available at: <https://ssrn.com/abstract=3373704>.

⁷⁴ BEUC (2019). WTO e-commerce negotiations: BEUC recommendations, p. 3, available at: https://www.beuc.eu/publications/beuc-x-2019-014_wto_e-commerce_negotiations_-_beuc_recommendations.pdf.

were not designed to be a marketplace, but are used as one while lacking the designs, functions and mechanisms that a marketplace normally has.⁷⁵ The challenges begin with the lack of clear distinction for the consumers between commercial and non-commercial content.⁷⁶ For example, while on traditional e-commerce platforms (e.g. Amazon, eBay) all content is commercial, on social media (e.g. Tiktok, Pinterest) the lines are blurred and the content is not always marked in a meaningful way. Vital information about products, such as safety, is sometimes provided in a sketchy manner. Highly risky, complex financial products (e.g., cryptocurrency and non-fungible tokens) and investment advice are marketed often without proper information about associated risks, not adjusted to a particular consumer and without cooling-off periods.⁷⁷ All this makes it difficult for consumers to realise their legal position and what rights they have.

The development of deferred payment options and services of the type “buy now pay later” or “flexible payment plans” is very popular with consumers, especially those on lower incomes. However, consumers often do not realise that, when they use these services, they enter into consumer credit agreements and what rights and obligations derive from them. Due to the fast and easy-to-use arrangements, consumers may be spending more than anticipated and accumulate debt for even everyday purchases.⁷⁸

Due to the increased use of data-driven practices, violations of consumer rights become more difficult to detect and/or understand. They may stay invisible for long periods, due to the lack of transparency of companies’ practices of using data and algorithms. They may even be discovered only after the infringement has ceased.

Another challenge for consumers involves so-called dark patterns⁷⁹ which are used by many online marketplaces and websites, in general, to block users from taking certain actions (e.g., Amazon Prime makes it more difficult to quit a subscription⁸⁰) or to trick users into providing more personal data (e.g., Google is sued in the USA for trying to trick users into leaving location tracking on⁸¹). An academic study of about 11 thousand shopping websites in the USA discovered that at least one dark pattern was present on 11.1% of them, and uncovered 22 third-party providers of turnkey dark pattern solutions.⁸² A study of 75 most popular websites and apps in the EU found that 97% of them used at least one

⁷⁵ Riefa Ch. (2019). Consumer Protection on Social Media Platforms: Tackling the Challenges of Social Commerce, p. 4, available at: <https://ssrn.com/abstract=3373704> .

⁷⁶ Michaelsen F., Collini L., Jacob C., Goanta C., Kettner S., Bishop S., Hausemer P., Thorun Ch and Yesiloglu S. (2022). The impact of influencers on advertising and consumer protection in the Single Market, Study for the IMCO Committee of the European Parliament, pp. 53-56, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU\(2022\)703350_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU(2022)703350_EN.pdf) .

⁷⁷ See, for instance, ESMA (2021). Statement on Investment Recommendations on Social Media, available at: <https://www.esma.europa.eu/press-news/esma-news/esma-addresses-investment-recommendations-made-social-media-platforms>; ESMA, EBA and EIOPA (2022). EU financial regulators warn consumers on the risks of crypto-assets, available at: https://www.esma.europa.eu/sites/default/files/library/esa_2022_15_joint_esas_warning_on_crypto-assets.pdf.

⁷⁸ This type of services has already become a target of investigation in the US, see CFPB (2021). Consumer Financial Protection Bureau Opens Inquiry into “Buy Now, Pay Later” Credit, press release, available at: <https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-opens-inquiry-into-buy-now-pay-later-credit/> .

⁷⁹ “Dark patterns” is a concept that is generally used to refer to practices in digital interfaces that steer, deceive, coerce, or manipulate consumers into making choices that often are not in their best interests.

⁸⁰ Forbrukerrådet (2021). You can log out, but you can never leave: How Amazon manipulates consumers to keep them subscribed to Amazon Prime, available at: <https://fil.forbrukerradet.no/wp-content/uploads/2021/01/2021-01-14-you-can-log-out-but-you-can-never-leave-final.pdf> .

⁸¹ DeGeurin M. (2022). Google Illegally Used Dark Patterns to Trick Users Into Handing Over Location Data, State AGs Say, *Gizmodo*, available at: <https://gizmodo.com/google-lawsuit-location-data-attorneys-general-1848410222> .

⁸² Mathur A., Acar G., Friedman M., Lucherini E., Mayer J., Chetty M. and Narayan A. (2019). Dark Patterns at Scale: Findings from a Crawl of 11K Shopping Websites, available at: <https://webtransparency.cs.princeton.edu/dark-patterns/assets/dark-patterns-v2.pdf>.

dark pattern.⁸³ About one third of the websites and apps in this study belonged to the category of e-commerce, and dark patterns used by them most frequently included hidden information/ false hierarchy; countdown timer, limited time or limited stock message; preselection, roach motel⁸⁴ and nagging.⁸⁵ About one fifth of the websites and apps were social media, and the most frequently used dark patterns by them included preselection, hidden information/ false hierarchy, disguised advertising and roach motel. All of these practices are harmful to consumers or even illegal. For instance, hidden information may violate Articles 6 and 8 on pre-contractual information often Consumer Rights Directive; nagging and roach motel can amount to aggressive practice under Articles 8-9 of the Unfair Commercial Practices Directive; roach motel also may violate the right to withdrawal under Article 6 of the Consumer Rights Directive.⁸⁶

Dark patterns are not new to commerce but have become more sophisticated and difficult to spot with digitalisation. For example, more recent developments indicate the emergence of a new generation of unfair practices which involves a combination of personalised practices and dark patterns that make it even more difficult for consumers and authorities to recognise them.⁸⁷ The issue sits between consumer protection and data protection as dark patterns rely on the knowledge of behavioural biases and heuristics that are deduced by algorithms and artificial intelligence from the piles of consumer data.⁸⁸

All the listed problems are exacerbated when vulnerable consumers (e.g. minors, users with low digital skills) are involved. The risks associated with e-commerce on social media were emphasised by the interviewed consumer protection stakeholders as increased because of the large number of children users.⁸⁹

A particular challenge for consumers during the Covid-19 pandemic was the increased number of scams and fraudulent sellers abusing the feelings of anxiety and fears.⁹⁰ It shall be noted that the response by the competent authorities was very fast.

⁸³ The study looked at 30 cross-border websites, 30 mobile apps and 15 national websites; not all of these websites and apps were in the e-commerce sector. Lupiáñez-Villanueva F., Boluda A., Bogliacino F., Liva G., Lechardoy L. and Rodríguez de las Heras Ballell T. (2022). Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation, study for the European Commission, available at: <https://op.europa.eu/en/publication-detail/-/publication/606365bc-d58b-11ec-a95f-01aa75ed71a1/language-en/format-PDF/source-257599418>

⁸⁴ Roach motel means a situation designed to be easily accepted or entered into, but difficult to get out of it (e.g. subscriptions that are difficult to cancel).

⁸⁵ Nagging is a bothersome function or messaging that persists beyond one or few interactions (e.g. constant pop-ups, continuous notifications, offers of promotion or recommendations).

⁸⁶ For more detailed legal assessment and discussion see Lupiáñez-Villanueva F., Boluda A., Bogliacino F., Liva G., Lechardoy L. and Rodríguez de las Heras Ballell T. (2022). Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation, study for the European Commission, pp. 61-84, available at: <https://op.europa.eu/en/publication-detail/-/publication/606365bc-d58b-11ec-a95f-01aa75ed71a1/language-en/format-PDF/source-257599418>.

⁸⁷ Einstein, M., 2020, Advertising Technologies, Tactics, and Aftermaths: The Unintended Consequences of Social Media, Branded Content, and Data Mining. Advertising & Society Quarterly 21(3).

⁸⁸ See EDPB (2022). Guidelines 3/2022 on Dark patterns in social media platform interfaces: How to recognise and avoid them, Version 1.0, available at: https://edpb.europa.eu/system/files/2022-03/edpb_03-2022_guidelines_on_dark_patterns_in_social_media_platform_interfaces_en.pdf; BEUC (2022). “Dark patterns” and the EU consumer law acquis: Recommendations for better enforcement and reform, available at: https://www.beuc.eu/publications/beuc-x-2022-013_dark_patterns_paper.pdf.

⁸⁹ Michaelsen F., Collini L., Jacob C., Goanta C., Kettner S., Bishop S., Hausemer P., Thorun Ch and Yesiloglu S. (2022). The impact of influencers on advertising and consumer protection in the Single Market, Study for the IMCO Committee of the European Parliament, pp. 58-59, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU\(2022\)703350_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU(2022)703350_EN.pdf).

⁹⁰ See the CPC Common Position and Europol press release summarising various fraudulent practices of rogue online sellers: Common Position of CPC authorities (2020). Stopping scams and tackling unfair business practices on online platforms in the context of the Coronavirus outbreak in the EU, available at: https://ec.europa.eu/info/sites/default/files/live_work_travel_in_the_eu/consumers/documents/cpc_common_position_covid_19.pdf; Europol (2021). COBID-19: Fraud, available at: <https://www.europol.europa.eu/covid-19/covid-19-fraud>. A detailed

3.2. Challenges to the enforcement of consumer protection laws

The main challenges of enforcement are linked to the ability to locate the seller – a particular feat in the case of fraudulent companies – and take action against sellers located in third countries, according to all interviewed stakeholders. In the latter instance, even where the EU rules apply, a trader may not have any establishment or assets in the EU, so that enforcement need to take place abroad, beyond the jurisdiction of the national consumer authority.⁹¹ A few consumer protection stakeholders mentioned that some national consumer protection authorities seem to have difficulties to go after companies that have no establishment in the EU, due to the low prospect of success. This is a troubling observation considering that the number of Asian and American traders operating in the EU has been growing.

In this context, it becomes more important to develop good relationships and collaborative culture with other consumer protection authorities. The interviewed consumer protection authorities explained that such cooperation culture is necessary not only with third countries but within the EU/EEA as well. The reason for this is that acting as a CPC network and having the backing of the European Commission adds heft to any requests and other activities and is more likely to have the desired outcome.

Private enforcement by consumers is fairly common (see Table 2 in Section 4.1) but differs from country to country and could be enhanced. There seem to be many mechanisms in place (e.g. courts, alternative dispute resolution, online dispute resolution), but, on average in the EU, about 15% of all consumers who experienced a non-negligible problem decided not to take an action (e.g. make a complaint).⁹² The reasons for not taking action involve the length of the resolution process (41.2%), low likelihood to get a satisfactory solution (34%), unsuccessful past experience (18%), but also not being sure of their consumer rights (17.9%) and not knowing where and how to complain (17.2%).⁹³

Data-driven practices of e-commerce companies present another challenge for consumer protection authorities, according to consumer protection and some industry stakeholders. Infringements are often cross-over violations, breaching several different sectoral rules that are difficult to disentangle.⁹⁴ Also, digital infringements require special expertise, skills and tools, as well as the capacity to keep them up to date. In addition, they need a good understanding of data protection law, which means that cooperation with data protection authorities would be helpful. According to some industry and consumer protection stakeholders, consumer protection authorities are lacking those at the moment.

A few stakeholders noted that lack of capacity continues to plague consumer protection authorities so that in the face of a large number of infringements and their complexity, they

account is given in BEUC (2020). On the front row: Consumer organisations' work to support consumers in the Covid-19 crisis and the fight against unfair practices, available at: https://www.beuc.eu/publications/beuc-x-2020-099_on_the_front_row_-_members_fight_against_covid_scams_and_unfair_practices.pdf.

⁹¹ BEUC (2019). WTO e-commerce negotiations: BEUC recommendations, p. 3, available at: https://www.beuc.eu/publications/beuc-x-2019-014_wto_e-commerce_negotiations_-_beuc_recommendations.pdf.

⁹² European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, pp. 126-127. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

⁹³ European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, pp. 137-151. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

⁹⁴ Sartor G. (2020). New aspects and challenges in consumer protection: Digital services and artificial intelligence, Study for the IMCO Committee of the European Parliament, pp.24-25, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU\(2020\)648790_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU(2020)648790_EN.pdf).

have to “pick their battles”. Infringements in the digital world may be very short-lived (e.g., one or few days) but happen on a fairly large scale (e.g., reach many users of a particular platform). However, the authorities often lack the instruments and capacity to react to them fast. Hence, such infringements may remain completely unaddressed.

4. Compliance of traders

4.1. Developments in consumer complaints related to e-commerce

The compliance of traders is difficult to measure directly, and there are no publicly available longitudinal datasets for e-commerce companies for the EU. However, analysis of the data on consumer complaints provides an indirect measure of how well companies adhere to relevant legislation. It shall be noted though that consumer complaints numbers are also influenced by the legal framework, how informed consumers are about their rights and the mechanisms to protect them and other factors. All this makes the data on consumer complaints only an indication and not evidence of traders’ compliance with or non-compliance.

The Consumer Market Monitoring Survey (MMS) collects data across various market segments on the consumer experience with purchasing goods and services. The MMS 2020 included a question on whether a service or product was purchased online or offline, and the results show that between 20% to over 50% of consumers are buying online, depending on a product or service (e.g. just over 20% buy gas and insurance services online, but more than 50% buy TV subscriptions online). The data on consumer complaints are aggregated for online and offline purchases, so the assumption can be made that the general trends apply fully to online purchases.

The data show that the share of consumers experiencing problems with cause for complaint is in the single digits in most cases. In general, over 50% of this subset of consumers make a complaint. Only consumers of cosmetics seem to be outliers: only 3% of them experience a problem with cause for complaint, of which only 22% make a complaint. Across all segments of products and services, over 40% of complaints are made directly to the trader, and more than 60% on average are resolved satisfactorily.⁹⁵

Table 2: Share of consumers who experienced problems with their purchases and made a complaint, selected market segments, EU-27 (2019-2020)

Type of product/ of service	Share of consumers who bought the product and experienced a problem with cause for complaint	Share consumers who experienced a problem with cause for complaint and made a complaint (to trader, NGO, competent authority or court)
Household appliances	8%	49%
Electronic products	12%	51%
Products for children	8%	52%

⁹⁵ Based on MMS 2019-2020 reports. Consumer Market Monitoring Survey 2019-2020, available at: https://ec.europa.eu/info/publications/market-monitoring-2019-2020-presentation-results-market_en.

Information gathering for assisting the European Commission in complying with its obligations
under Article 40 (“reporting”) of Regulation (EU) 2017/2394 on Consumer Protection
Cooperation
Case study on e-commerce

Type of product/ of service	Share of consumers who bought the product and experienced a problem with cause for complaint	Share consumers who experienced a problem with cause for complaint and made a complaint (to trader, NGO, competent authority or court)
Cosmetics	3%	22%
Clothing and footwear	8%	63%
Electricity services	9%	69%
Gas services	7%	66%
Insurance services	7%	64%
Internet provision services	14%	62%
Mobile telephone services	11%	68%
Recreational services	7%	66%
TV subscriptions	13%	59%

Source: Consumer Market Monitoring Survey 2019-2020, available at: https://ec.europa.eu/info/publications/market-monitoring-2019-2020-presentation-results-market_en

Unfortunately, because the MMS was started in 2020, it does not provide longitudinal data on how the share of consumers experiencing problems and complaining has developed over time. The predecessor consumers’ attitudes survey that focused on online purchases used a composite indicator for problems and complaints.⁹⁶ This indicator improved slightly in the period 2014-2018 for EU-27 meaning that consumers experienced fewer problems with cause for complaint and complained more if they had any worthy problems; at the same time, the share of those who experienced no problems grew slightly in 2012-2018.⁹⁷ The share of those who complained directly to the trader or service provider was over 85% in 2018, growing from 77% in 2016.⁹⁸ The share of those satisfied with complaint handling overall was 57% in 2018, down from 61% in 2016.⁹⁹

For the period 2006-2021, the data on consumer complaints regarding purchases made online from the European Consumer Centres (ECC) network is helpful. This dataset encompasses e-commerce in the narrow sense and more, including, for instance, car rentals. The dataset cannot be disentangled to show exclusively e-commerce data because the data categories include both sectoral (e.g., car rentals) and subject-matter (e.g., packaging/ labelling, right of withdrawal, wrong/ non-conforming product) categories. Based on how big the e-commerce market is, the trends observed in the overall dataset of complaints about online purchases can be considered representative of e-commerce.

The data (see Figure 6) show a steady increase in the number of complaints since the data collection started in 2006. The number of complaints stabilised in 2010-2012, but suddenly grew almost 40% in 2013. Since 2013, the number of complaints has been growing slowly, before having another 35% bump-up in 2020. Without additional in-depth research, it is impossible to say with certainty what caused the first significant increase in complaints in

⁹⁶ European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, pp. 120-121 explaining the problems and complaints indicator. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

⁹⁷ European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, pp. 121 and 124. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

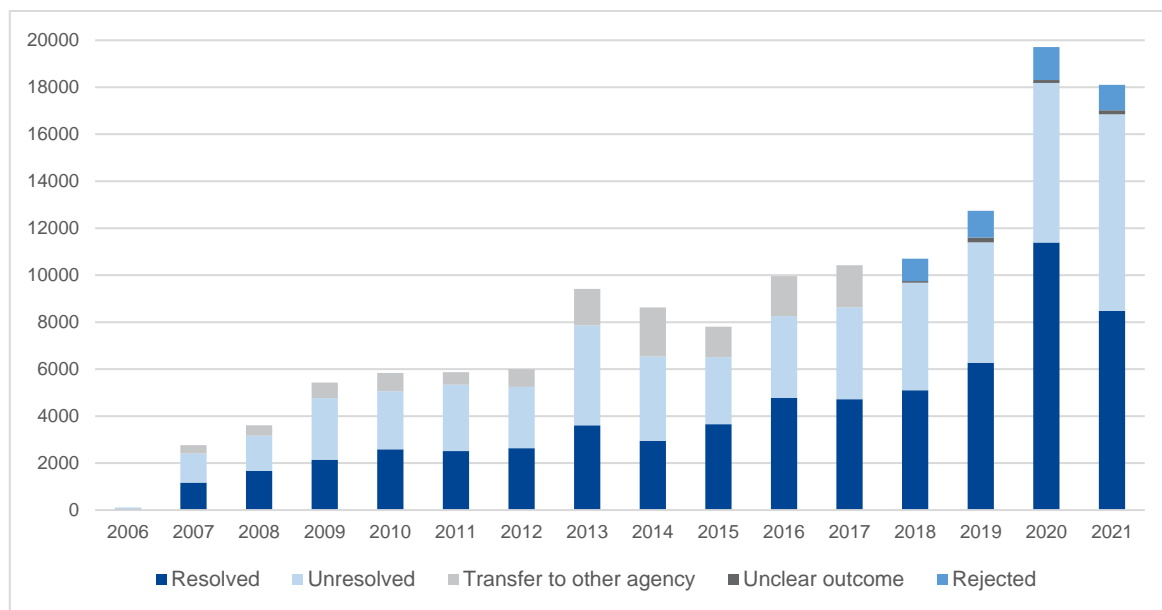
⁹⁸ European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, p. 129. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

⁹⁹ European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, p. 152. Available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf.

2013. The Covid-19 pandemic was a major contributing factor to the spike in consumer complaints in 2020: the data clearly show that complaints related to “Passenger transport specific – Cancellation by operator” grew tenfold.

Figure 6 also shows that the share of resolved complaints is on par with the share of unresolved complaints, which means that a very large proportion of consumer concerns related to online purchases remains unresolved through this mechanism.

Figure 6: Numbers of consumer complaints to ECC and their outcomes, EU-27 (2006-2021)

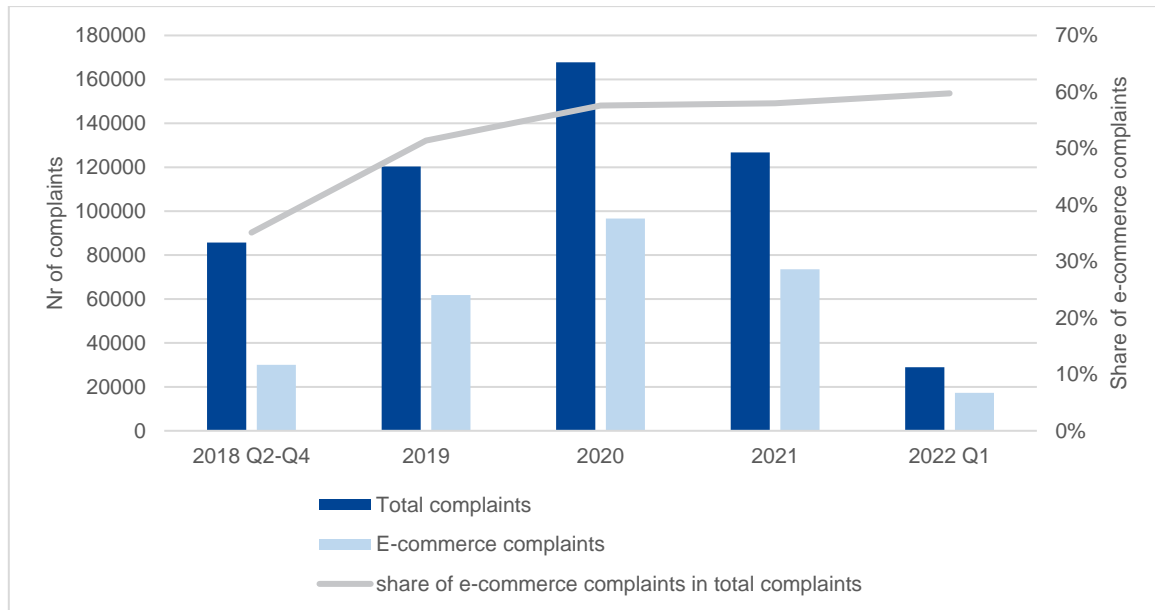


Source: ECC Network.

Note: In 2018, the data collection system was changed allowing for more detailed insights. In particular, the category “Rejected” was added and insights provided into what happened to the complaints transferred to other agencies. Hence, from 2018 onwards, complaints resolved or unresolved by other agencies are included in the respective general category; rejected complaints and complaints with unclear outcome are presented.

The data from the ECC network for 2018-2022 allow to compare the numbers of consumer complaints related to e-commerce to the overall numbers of consumer complaints. E-commerce includes complaints resulting from four categories of selling methods: internet auctions, internet platforms, e-commerce and intermediaries other than booking. Figure 7 shows the growth of consumer complaints overall between 2018 and 2020, where the strong increase in 2020 was largely due to the pandemic (i.e., complaints resulting from purchases from booking intermediaries increased fourfold). In 2021, the overall number of complaints already reduced and can be expected to return to the pre-pandemic level in 2022. The number of consumer complaints resulting from e-commerce purchases followed the same pattern, however, the data make it clear that the share of e-commerce complaints in total complaints has increased from 35% in 2018 to 58% in 2020 and has even grown two percentage points since. This increase in complaints can be partially explained by consumers buying more online and buying more from traders from other EU/EEA and non-EU/EEA countries (see Section 2.1). However, it is also indicative of continuous consumer protection issues present in cross-border e-commerce.

Figure 7: Share of e-commerce consumer complaints in total consumer complaints (2018-2022)



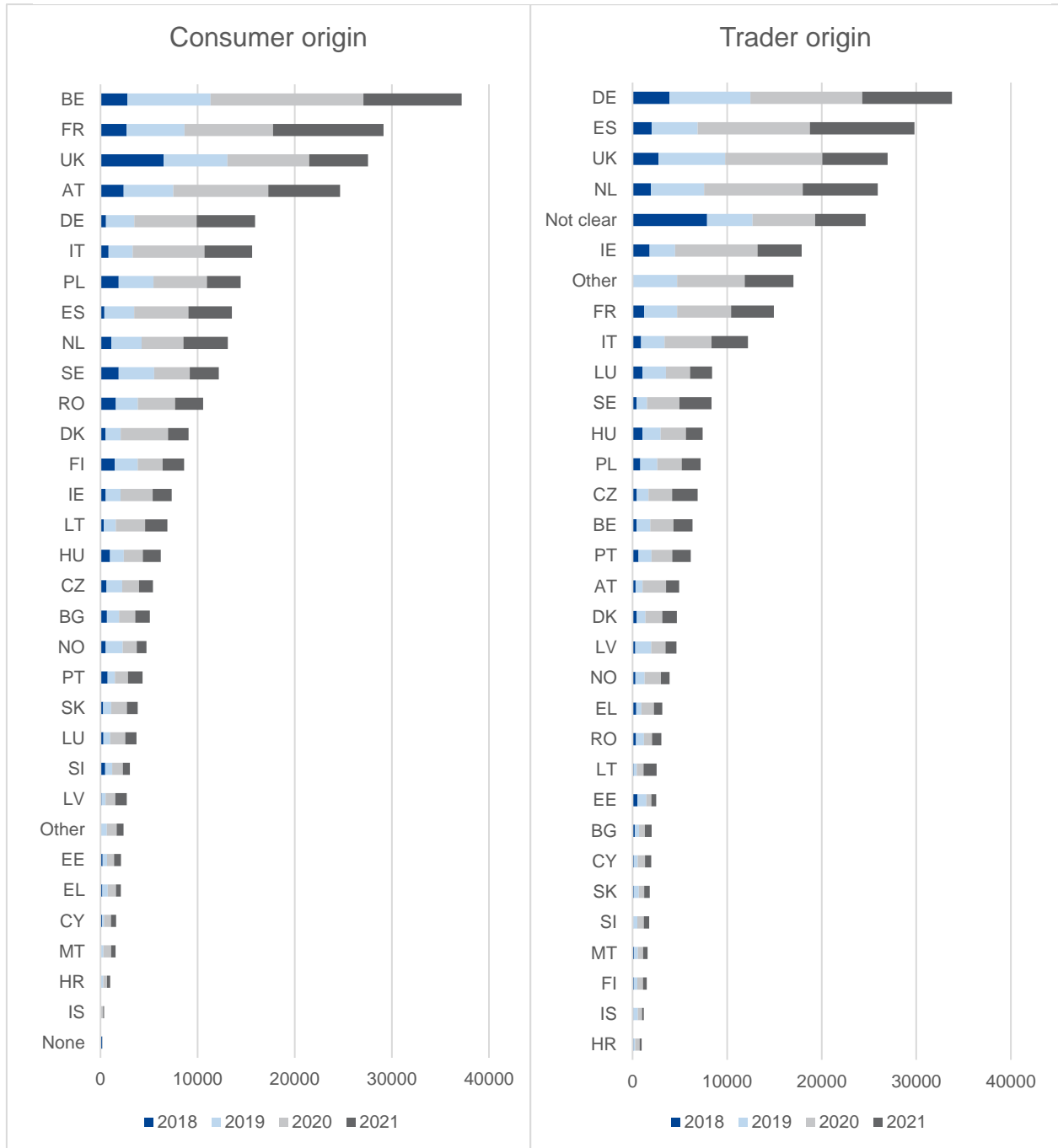
Source: ECC Network.

The data from ECC Net also allow to see consumers of which EU/EEA countries launch most complaints regarding e-commerce and companies from which countries more often are the subject of consumer complaints. Over 2018-2021, Belgian consumers filed by far most consumer complaints among the EU/EEA countries (37187 complaints related to e-commerce). They are followed by French (who filed about one quarter fewer complaints), UK and Austrian consumers. The largest by population Germany comes only fourth in terms of consumer complaints, followed by the population-rich Member States Italy, Poland and Spain. Separate research would be necessary to explain why consumers in some countries take up the opportunity to complain more frequently than in others, but it is likely to do with the national legal framework, consumers’ level of awareness of their rights and opportunities to defend them as well as access to complaints mechanisms.

Companies against which consumers complain most frequently come from Germany (33777 complaints) and Spain (29804 complaints), which is to be expected considering these are some of the largest EU/EEA’s national economies. Dutch, Irish and Luxembourg companies are among top-10 of companies subject to consumer complaints, which could be because many digital companies have headquarters in these countries. Among the top-

10 are also companies whose registration was not clear to the complaining consumer and companies from third countries.

Figure 8: Countries of origin of consumers and traders in the context of e-commerce related complaints (2018-2020)



Source: ECC Network

Note: “Other” includes third countries; “Not clear” includes categories “don’t know”, “none” and “no trader”.

According to the Biennial overview of actions under the CPC Regulation,¹⁰⁰ the current CPC Regulation entered into application, in January 2020, until January 2022, there were 312 mutual requests, of which 231 were requests for enforcement measures. The report states that 48 cases related to sales of goods to consumers, but it is unclear whether more cases are related to e-commerce. Over the same period, 89 alerts were issued by the CPC network and the European Commission on practices of specific traders and 36 alerts were issued by nominated external stakeholders, however it is also not clear how many of these alerts were related to e-commerce.

4.2. Impact of the CPC Regulation according to stakeholders

Almost all interviewed stakeholders (industry, NGO, and various authorities) explained that the impact of CPC actions and sweeps on compliance in the e-commerce sector is very limited. Mostly, only the companies directly addressed by the CPC action make changes, but the industry as a whole does not really follow suit.

Even the compliance of companies directly addressed by a CPC action is not always satisfactory from the perspective of consumer protection. The interviewed consumer protection authorities indicated that experience with traders in this regard vary a lot. Many targeted traders make changes or come up with commitments very fast and early in the process, while some others employ various delaying tactics and make only small or partial changes. Particularly difficult to reach (and, hence, achieve compliance) are companies without an establishment in the EU, and it takes sometimes more time and effort to effectuate changes in their policies and practices. How easy and fast changes are made also depends on their nature (e.g., they are more difficult when relate closely to the business model) and on the company’s resources (e.g., smaller companies without a specialised legal department may need more time to grasp the issue and what needs to be done about it).

The CPC network has a possibility to back up its soft engagement approach to compliance with enforcement at the national level, if necessary. The perspective of facing – in the worst case – 30 enforcement actions (i.e. EU-27 plus 3 EEA countries, Iceland, Liechtenstein and Norway) is more than any trader can take, disregarding its size, and pushes even the more reluctant ones to enter a dialogue with the CPC network. At the same time, voluntary participation in the CPC dialogue and commitments do not prevent national authorities from still taking enforcement actions within their jurisdiction. This may have a discouraging effect on traders and undermine their trust in the system as some industry stakeholders point out that they do not understand why they still risk being sanctioned if they make and implement commitments towards the CPC network. Yet, the consumer authorities argued, the chances of enforcement are much lower if a trader cooperates with the CPC network; and all cases where national enforcement actions were taken predate the beginning of an action by the CPC network, to the best knowledge of the interviewed authorities.

It shall be noted that the achievement of compliance even by the company targeted by a CPC action might be difficult also because the understanding of what compliance is varies among consumer protection authorities making up the CPC network. The interviews with consumer protection authorities allow it to transpire that the views differ on how big the

¹⁰⁰ Commission Staff Working Document (2022). Biennial overview of actions carried out by national authorities under Regulation (EU) 2017/2394 on consumer protection cooperation and key market trends that might affect consumers’ interests in the future, SWD(2022) 108 final of 08.04.2022, pp. 6-7.

consumer protection problems are, how they can be rectified, whether the commitments by traders are sufficient and whether they have been properly implemented. The clearest evidence of this is the discussed above possibility of a national consumer authority to take enforcement actions within its jurisdiction, which may happen if one authority, for example, wishes stronger or different commitments than those agreed with the CPC network. This whole issue also harks back to the complexity and relative fragmentation of consumer protection law.

Yet, in general, the absolute majority of traders value their good reputation and business and cooperate with the CPC network to develop mutually satisfactory commitments and implement them, according to all interviewees. The interviewed consumer protection authorities underscored that they do not know of examples where traders did not comply with their commitments to the CPC network.

Considering relatively small spill-over effects of CPC actions for the industry, according to the interviewed industry stakeholders, one of the main reasons is the lack of information and communication about CPC actions/ sweeps. Most traders, not having been the target of CPC action, are completely unaware of CPC actions/ sweeps, what they are and why they happen. (Visibility of CPC actions, in general, was mentioned as a problem by several different interviewees.) For example, looking at the short press releases, it is not always clear to traders what exactly the authorities are looking for or how the checks are conducted. Traders do not always understand what specifically the problem was, what the relevant rules were and how they were interpreted, and – most importantly – what traders can learn from it and how they can improve. For instance, if an action addressed traders from a particular country or a different business model, it is not clear how it might be relevant to other companies.

The information disclosed in the context of a CPC action/ sweep is considered scanty and of little use for consumers and consumer protection NGOs. For instance, in the context of sweeps, the information does not suffice for consumers to become active if they wanted to. There are no concrete examples or details to start a consumer action.

Some consumer protection stakeholders also noted that CPC actions sometimes address systemic issues but do it in application to only one or a few selected traders. For example, such issues as dark patterns or blended content have been widespread in e-commerce. To resolve them effectively, a horizontal, industry-wide approach is necessary. “Chasing” one trader after another is inefficient and may also incentivise traders to look for what they can get away with. CPC actions may simply be the wrong tool in such systemic cases, and other approaches should be considered or developed.

Another reason, given by the interviewed industry stakeholders, is the complexity of consumer law and adjacent law areas (e.g. data protection and privacy). Many of the thousands of European online traders are SMEs acting in good faith. Their non-compliance is often unintentional, and they could do better if provided with an explanation of what compliance means and what best practices are. The law also does not account for different business models of marketplace companies, which has implications of what they can and cannot do in relation to their business users. For example, not all marketplaces have full insight in and, therefore, control of the supply chain. Blurring lines between consumer protection law and data protection law was mentioned as a problematic issue also by several interviewed consumer protection authorities.

This all amounts to the lack of deterrent and prevention effects on the industry, both of which are considered by a variety of interviewed stakeholders more important than enforcement.

4.3. How compliance of companies can be improved

All interviewed stakeholders mentioned transparency and communication as important tools to improve the effectiveness of the CPC network and increase compliance.

On widespread, systemic issues (e.g., dark patterns), structured dialogues between traders (involving associations as intermediaries), consumer protection authorities and NGOs would be beneficial. It would be desirable to reach a mutual understanding of what the expectations of the authorities and consumers are and which companies can do what. It would be useful for the industry to understand what the priorities of consumer protection are, what the interpretation of legal norms is and what companies can do to be compliant (e.g., best practices overviews, common mistakes discussion, guidance, lessons learnt for cross-border and cross-sectoral issues and other explanatory materials). It would be useful to reach a common understanding on some issues (like dark patterns and influencer marketing) and promote compliance as early as possible in the trend development cycle, which could also save enforcement efforts later on.

Consumer protection stakeholders also see the benefits of transparency and communication for themselves. Systematic consultations (or structured informal dialogues) and better information on CPC actions (incl. whether an action has been taken, what are the commitments, and how the monitoring is progressing) could help consumer authorities to do better with the limited resources they have and allow for synergies or alignment with the planned or ongoing activities of consumer protection NGOs. While the need for confidentiality in relation to CPC activities is understood, a bit more openness would help reassuring consumer protection organisations that their alerts are taken seriously and show how the information and analysis they provide are used by the CPC network. This will ensure overall that consumer protection authorities and organisations act in concert and can share their knowledge, expertise and resources more efficiently and do not duplicate each others’ work. The latter point is important considering that many consumer protection authorities rely on limited resources to deal with growing number of increasingly complex issues that often require additional research, expertise and evidence collection (e.g. such complex issues are social commerce, livestream shopping or dark patterns).

Such transparency and communication efforts will raise awareness of the industry and consumers and are likely to lead to more proactive attitudes in the e-commerce sector, while also making consumers more informed and vigilant and giving them better information to enforce their rights. For instance, if consumers become more aware of different types of dark patterns and know that these are illegal, they are more likely to complain directly to the websites using such dark patterns, demand changes or move to competitors.

In addition, greater transparency towards other authorities, specifically data protection authorities, and cooperation with them are desirable. As mentioned above, many different stakeholders (industry and consumer protection) indicated that it is not always clear whether an issue falls under data protection law or consumer protection law, and the interpretations are difficult. Some type of consultation or coordination with data protection authorities would be beneficial for the industry and consumer protection authorities as well as, ultimately, for the industry and consumers providing for more legal certainty. In the context of cooperation and coordination with other authorities and clarity of the legal framework, several interviewees (industry and consumer protection authorities) mentioned the DSA as potentially complicating the applicable legal rules. Under this legislation, issues are likely to arise that may require attention from consumer protection, media and data

protection authorities (e.g., in the context of influencer marketing on social media or shoppertainment).

To increase the efficiency of the CPC network and to improve compliance as a result, it would be advisable to streamline the procedures of the network. Various interviewed stakeholders appreciate that the CPC network remains flexible while representing a joint, centralised effort of national consumer authorities across the EU/EEA. However, they also point out drawbacks associated with it. For instance, interviewed stakeholders of all categories mentioned that procedures seem to have a slightly different nature depending on who is leading the action (e.g. the process may move faster or slower, there is a different tone to the dialogues with traders, etc.). Whatever the reasons for these differences are (e.g. legal and organisational culture, personal style, prioritisation and interest), according to consumer protection authorities, it would be useful to have internal guidance or checklists for the lead to ensure that the main steps are the same and that there are some common standards of procedure. It would be also helpful to manage the expectations of the industry by communicating to them what the main elements of the procedure are and what they can expect.

There is also a lack of clarity about when the procedure begins and ends and what the necessary associated steps are. For instance, the interviewed consumer protection authorities stated that it is not clear whether discussions and decisions at personal meetings also need to be duplicated via the Internal Market Information System (IMI) or when exactly responses are required via the IMI. There are also different understandings of what it means to take decisions by consensus within the network. Having different expectations about what needs to be communicated and when and different standards of decision-making slow down procedures and provide for more uncertainty in the joint actions. Clearer procedural rules or guidelines would help resolve this.

5. Conclusion

When enforcing consumer protection law in the e-commerce sector, consumer protection authorities are facing many challenges. First, the sheer magnitude of the sector makes monitoring and enforcement difficult, and the numbers of online traders and consumers are growing every year. As new, less experienced consumers join online shopping and new types of products and services are offered by online traders, new challenges arise.

Second, cross-border e-commerce is increasing, and cross-border protection and enforcement of consumer rights are as challenging as ever, especially in application to jurisdictions beyond the EU. In addition, some of the business models of e-commerce allow traders to avoid establishment in the EU, where the targeted consumer audiences are, which may complicate even communication with such traders.

Third, changing and emerging business models enabled by the advances in technology – such as social commerce, influencer marketing, livestream shopping and shoppertainment – make e-commerce as a sector more complex, due to the growing number of actors and interplays among them. Pervasive use of big data and ingenious data analytics create new, sophisticated marketing techniques that may be difficult to spot and document. At the same time, the applicable legislative framework, in attempt to comprehensively address online developments, becomes more complicated.

These and other challenges require expert knowledge and resources from consumer protection authorities that a single national authority may not possess, which makes the

work of the CPC network ever more important. Cooperative coordinated activities by the CPC network would help solving problems of the EU-wide relevance, bundling the national resources and carrying the weight of a joint action, which is especially important when dealing with large online platforms. CPC actions are also welcome by the market players who can then deal with one collective counterpart (i.e., CPC network) instead of individual authorities (in parallel) and who can expect a clear, aligned position on problematic issues.

Yet improvements in the functioning of the CPC network are necessary to ensure it can continue efficiently fulfil its tasks. Internal procedures and processes need to be clarified to ensure smooth, fast and consistent functioning. Greater cooperation is necessary with other authorities (e.g., data protection, competition) in order to address the growing complexities of the online environment and relevant legislation. Greater transparency is desired by consumer protection organisation as it may increase synergies with their work and help resolve the problem of scarce resources and expertise. Greater engagement is wished by the industry stakeholders who hope for more guidance (e.g., best practices, lessons learnt) in developing their business in compliance with the complex legislative requirements, while greater compliance of the industry would reduce the need for regulatory enforcement.

6. References

6.1. List of sources

AdSkate (2022). Digital Advertising Prices Are Rising. Here Is Why and What to Do About It, available at: https://www.linkedin.com/pulse/digital-advertising-prices-rising-here-why-what-do-adskate-inc/?trk=organization-update-content_share-article

AliExpress (n.d.). AliExpress Connect, available at: <https://connect.aliexpress.com/>

Arora A., Glaser D., Kluge Ph., Kim A., Kohli S and Sak N. (2021). It’s showtime! How live commerce is transforming the shopping experience, McKinsey, available at: <https://www.mckinsey.com/business-functions/mckinsey-digital/our-insights/its-showtime-how-live-commerce-is-transforming-the-shopping-experience>

Arora N., Liu W. W., Robinson K., Stein E., Ensslen D., Fiedler L., and Schüler G. (2021). The value of getting personalization right—or wrong—is multiplying, McKinsey, available at: <https://www.mckinsey.com/business-functions/growth-marketing-and-sales/our-insights/the-value-of-getting-personalization-right-or-wrong-is-multiplying>

BEUC (2019). WTO e-commerce negotiations: BEUC recommendations, available at: https://www.beuc.eu/publications/beuc-x-2019-014_wto_e-commerce_negotiations_-_beuc_recommendations.pdf

BEUC (2020). On the front row: Consumer organisations’ work to support consumers in the Covid-19 crisis and the fight against unfair practices, available at: https://www.beuc.eu/publications/beuc-x-2020-099_on_the_front_row_-_members_fight_against_covid_scams_and_unfair_practices.pdf

BEUC (2022). “Dark patterns” and the EU consumer law acquis: Recommendations for better enforcement and reform, available at: https://www.beuc.eu/publications/beuc-x-2022-013_dark_patterns_paper.pdf

Briggs F. (2021). Shoppertainment is the next frontier of e-commerce in Europe, AliExpress shows, *Retail Times*, available at: <https://www.retailtimes.co.uk/shoppertainment-is-the-next-frontier-of-e-commerce-in-europe-aliexpress-shows/>

Business Wire (2022). Europe Social Commerce Market Report 2022: Market is Expected to Grow by 36.5% to Reach \$67,203.7 Million in 2022 - Forecast 2028 - ResearchAndMarkets.com, available at: <https://www.businesswire.com/news/home/20220506005317/en/Europe-Social-Commerce-Market-Report-2022-Market-is-Expected-to-Grow-by-36.5-to-Rich-67203.7-Million-in-2022---Forecast-2028---ResearchAndMarkets.com>

CBCCommerce (2021). The rise of the resale second-hand market, available at: <https://www.cbcommerce.eu/press-releases/the-rise-of-the-resale-second-hand-market/>

CBCCommerce (2021). Top-100 cross-border marketplaces Europe, 2nd edition, available at: <https://www.cbcommerce.eu/press-releases/second-edition-of-the-top-100-cross-border-marketplaces-europe-an-annual-analysis-of-the-best-global-cross-border-platforms/>

CFPB (2021). Consumer Financial Protection Bureau Opens Inquiry into “Buy Now, Pay Later” Credit, press release, available at: <https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-opens-inquiry-into-buy-now-pay-later-credit/>

Cheng E. (2021). Alibaba is ramping up in Europe, and is already ahead of Amazon in one region, *CNBC*, available at: <https://www.cnbc.com/2021/10/29/eu-ecommerce-alibaba-competes-with-amazon-in-europe-for-singles-day-.html>

Codrington T. (2022). The price of digital ads has skyrocketed – here’s how to counteract it, *The Drum*, available at: <https://www.thedrum.com/opinion/2022/04/28/the-price-digital-ads-has-skyrocketed-here-s-how-counteract-it>

Commission Staff Working Document (2022). Biennial overview of actions carried out by national authorities under Regulation (EU) 2017/2394 on consumer protection cooperation and key market trends that might affect consumers' interests in the future, SWD(2022) 108 final of 08.04.2022

Consumer Market Monitoring Survey 2019-2020, available at: https://ec.europa.eu/info/publications/market-monitoring-2019-2020-presentation-results-market_en

CPC Common Position and Europol press release summarising various fraudulent practices of rogue online sellers: Common Position of CPC authorities (2020). Stopping scams and tackling unfair business practices on online platforms in the context of the Coronavirus outbreak in the EU, available at: https://ec.europa.eu/info/sites/default/files/live_work_travel_in_the_eu/consumers/documents/cpc_common_position_covid19.pdf

DeGeurin M. (2022). Google Illegally Used Dark Patterns to Trick Users Into Handing Over Location Data, State AGs Say, *Gizmodo*, available at: <https://gizmodo.com/google-lawsuit-location-data-attorneys-general-1848410222>

Digital Marketing Institute (2021). 20 Surprising Influencer Marketing Statistics, available at: <https://digitalmarketinginstitute.com/blog/20-influencer-marketing-statistics-that-will-surprise-you>

Dopson E. (2022). Mobile Commerce: Trends, Statistics, and Best Practices to Capture \$436 Billion in Mobile Spending, *Shopify*, available at: <https://www.shopify.com/enterprise/mobile-commerce-future-trends>

Ecommerce Europe (2016). Policy recommendations on the role of online platforms in the e-commerce sector, available at: <https://www.ecommerce-europe.eu/wp-content/uploads/2016/04/Ecommerce-Europe-Online-platforms-Position-Paper-April-2016.pdf>

Ecommerce Europe and EuroCommerce (2021). Europe e-commerce report 2021, available at: <https://ecommerce-europe.eu/wp-content/uploads/2021/09/2021-European-E-commerce-Report-LIGHT-VERSION.pdf>

Ecommerce News (2021). Europe: online marketplaces sales €120 billion, available at: <https://ecommercenews.eu/europe-online-marketplaces-sales-e120-billion/>

Ecommerce News (2021). European ecommerce grew two- to threefold amidst pandemic, available at: <https://ecommercenews.eu/european-ecommerce-grew-two-to-threefold-amidst-pandemic/>

EDPB (2022). Guidelines 3/2022 on Dark patterns in social media platform interfaces: How to recognise and avoid them, Version 1.0, available at: https://edpb.europa.eu/system/files/2022-03/edpb_03-2022_guidelines_on_dark_patterns_in_social_media_platform_interfaces_en.pdf

ESMA (2021). Statement on Investment Recommendations on Social Media, available at: <https://www.esma.europa.eu/press-news/esma-news/esma-addresses-investment-recommendations-made-social-media-platforms>

ESMA, EBA and EIOPA (2022). EU financial regulators warn consumers on the risks of crypto-assets, available at: https://www.esma.europa.eu/sites/default/files/library/esa_2022_15_joint_esas_warning_on_crypto-assets.pdf

European Commission (2019). Survey on consumers attitudes towards cross-border and consumer-related issues 2018, Final Report, available at: https://ec.europa.eu/info/sites/default/files/consumer-survey-2018-main-report_en.pdf

European Commission (2021). Commission's new consumer survey shows impact of Covid-19 and popularity of 'greener' choices, press release available at: https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1104

European Commission and DGCCRF (n.d.). Common position of national authorities within the CPC Network concerning the protection of consumers on social networks. Available at: http://ec.europa.eu/newsroom/document.cfm?doc_id=43713

European Commission (n.d.), CPC Coordinated Actions, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/coordinated-actions_en

European Commission (n.d.). Market places and digital services, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/coordinated-actions/market-places-and-digital-services_en

European Commission (n.d.). Scams related to Covid-19: Actions of the Consumer Protection Cooperation Network (CPC) on rogue traders during the Covid-19 outbreak, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/scams-related-covid-19_en#common-position

European Commission (n.d.). Sweeps, available at: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en

Europol (2021). COBID-19: Fraud, available at: <https://www.europol.europa.eu/covid-19/covid-19-fraud>

Eurostat (2022). E-commerce statistics for individuals, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics_for_individuals

Eurostat (2022). E-commerce statistics, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=E-commerce_statistics

Eurostat (2022). Impact of Covid-19 on e-sales of enterprises, available at: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Impact_of_COVID-19_on_e-sales_of_enterprises

Eurostat (2022). Internet purchases by individuals (until 2019), available at: https://ec.europa.eu/eurostat/databrowser/view/ISOC_EC_IBUY_custom_2874828/default/table?lang=en

Eurostat (n.d.). Glossary: E-commerce, available at: <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:E-commerce>

Forbrukerrådet (2021). You can log out, but you can never leave: How Amazon manipulates consumers to keep them subscribed to Amazon Prime, available at: <https://fil.forbrukerradet.no/wp-content/uploads/2021/01/2021-01-14-you-can-log-out-but-you-can-never-leave-final.pdf>

Geldman A. (2021). Online Marketplaces in Europe: Dynamic, Diverse and Disjointed, *Webretailer*, available at: <https://www.webretailer.com/b/online-marketplaces-europe/>

Goddevrind V., Schumacher T., Seetharaman R. and Spillecke D. (2021). C2C e-commerce: Could a new business model sell more old goods? McKinsey, available at: <https://www.mckinsey.com/industries/technology-media-and-telecommunications/our-insights/c2c-ecommerce-could-a-new-business-model-sell-more-old-goods>

Goodwin D. (2022). Twitter tests e-commerce waters with new feature for in-app purchases, *MarTech*, available at: <https://martech.org/twitter-tests-e-commerce-waters-with-new-feature-for-in-app-purchases/>

Heidary K. (2020). E-commerce and consumer data: Is regulation needed? *Leiden Law Blog*, available at: <https://leidenlawblog.nl/articles/e-commerce-and-consumer-data-is-regulation-needed>

Holleschovsky N/I. and Constantinides E. (2016). Impact of Online Product Reviews on Purchasing Decisions, available at: <https://ris.utwente.nl/ws/portalfiles/portal/5399228/Impact+of+online+product+reviews+on+purchasing+decisions++Final+WEBIST+2016.pdf>

Instagram (2020). Introducing: Shops on Instagram, available at: <https://business.instagram.com/blog/introducing-shops-on-instagram>

Internet Marketing Unie (2022). Wordt livestream shopping in de Westerse wereld populair als in China? Available at: <https://imu.nl/wordt-livestream-shopping-in-de-westerse-wereld-populair-als-in-china/>

IP Osgoode (2020). The Legal Considerations of Live-Stream Shopping, available at: <https://www.iposgoode.ca/2020/08/the-legal-considerations-of-live-stream-shopping/>

Ipsos, London Economics and Deloitte (2018). Consumer market study on online market segmentation through personalised pricing/offers in the European Union, available at: https://ec.europa.eu/info/publications/consumer-market-study-online-market-segmentation-through-personalised-pricing-offers-european-union_en

Lexology (2021). Shoppertainment & Livestreaming Gain Steam in Europe's E-Commerce, available at: <https://www.lexology.com/library/detail.aspx?g=39bc016a-39a7-4191-8130-c48109247f21>

Lindecrantz E., Tjon Pian Gi M. and Zerbi S. (2020). Personalizing the customer experience: Driving differentiation in retail, McKinsey, available at: <https://www.mckinsey.com/industries/retail/our-insights/personalizing-the-customer-experience-driving-differentiation-in-retail>

Loeb W. (2021). The Rising Costs Of Digital Advertising Will Force Spending Shifts, *Forbes*, available at: <https://www.forbes.com/sites/walterloeb/2021/08/04/rising-costs-of-digital-advertising-will-force-spending-shifts/?sh=aadee515a7cd>

Lupiáñez-Villanueva F., Boluda A., Bogliacino F., Liva G., Lechardoy L. and Rodríguez de las Heras Ballell T. (2022). Behavioural study on unfair commercial practices in the digital environment: dark patterns and manipulative personalisation, study for the European Commission, available at: <https://op.europa.eu/en/publication-detail/-/publication/606365bc-d58b-11ec-a95f-01aa75ed71a1/language-en/format-PDF/source-257599418>

Mathur A., Acar G., Friedman M., Lucherini E., Mayer J., Chetty M. and Narayan A. (2019). Dark Patterns at Scale: Findings from a Crawl of 11K Shopping Websites, available at: <https://webtransparency.cs.princeton.edu/dark-patterns/assets/dark-patterns-v2.pdf>

Meta (n.d.). Checkout methods and eligibility requirements, available at: https://www.facebook.com/help/instagram/464948687848599/?helpref=related_articles

Michaelsen F., Collini L., Jacob C., Goanta C., Kettner S., Bishop S., Hausemer P., Thorun Ch and Yesiloglu S. (2022). The impact of influencers on advertising and consumer protection in the Single Market, Study for the IMCO Committee of the European Parliament, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU\(2022\)703350_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU(2022)703350_EN.pdf)

OECD (2020). E-commerce in the time of Covid-19, available at: <https://www.oecd.org/coronavirus/policy-responses/e-commerce-in-the-time-of-covid-19-3a2b78e8/>

Palmer M. and Smith T. (2020). European tech companies are beating Amazon at its own game, *sifted*, available at: <https://sifted.eu/articles/amazon-europe-challengers-1/>

Parish W. (2014). Buy now? How social networks are approaching in-app purchases, *Marketing Dive*, available at: <https://www.marketingdive.com/news/buy-now-how-social-networks-are-approaching-in-app-purchases/310020/>

Pinterest (n.d.). Get paid on Pinterest, available at: <https://business.pinterest.com/how-to-make-money-on-pinterest/>

Pinterest (n.d.). Tag products in your Idea Pins, available at: <https://help.pinterest.com/en/business/article/tag-products-in-your-idea-pins>

Postnord (2021). E-commerce in Europe 2020, available at: <https://www.postnord.se/siteassets/pdf/rapporter/e-commerce-in-europe-2020.pdf?fbclid=IwAR0TldAohWhbJIWL8orplUzQh3CW3uxPm2flGnTwgk1cdzWJkWzZz-b6AK0>

PR Newswire (2020). AliExpress invests in Social Commerce Initiatives to help users save hundreds, available at: <https://www.prnewswire.co.uk/news-releases/aliexpress-invests-in-social-commerce-initiatives-to-help-users-save-hundreds-818239556.html>

PYMNTS (2022). Deep Dive: The Explosive Growth of Mobile Payments for Cross-Border Transactions, available at: <https://www.pymnts.com/news/cross-border-commerce/cross-border-payments/2022/deep-dive-the-explosive-growth-of-mobile-payments-for-cross-border-transactions>

PYMNTS (2022). Relationship Commerce Helps Brands Reduce Customer Acquisition Costs, PYMNTS.com, available at: <https://www.pymnts.com/commerce-connected/2022/relationship-commerce-helps-brands-reduce-customer-acquisition-costs/>

Retail Asia (2020). How shoppertainment powers the growth of AliExpress, available at: <https://www.retailnews.asia/how-shoppertainment-powers-the-growth-of-aliexpress/>

Riefa Ch. (2019). Consumer Protection on Social Media Platforms: Tackling the Challenges of Social Commerce, available at: <https://ssrn.com/abstract=3373704>

Sandberg D., Sjöberg F. and Andersson M. (2021). Swedish Consumer Sentiment 2021, available at: <https://www.bcg.com/en-nor/publications/2021/swedish-consumer-sentiment-report>

Sartor G. (2020). New aspects and challenges in consumer protection: Digital services and artificial intelligence, Study for the IMCO Committee of the European Parliament, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU\(2020\)648790_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU(2020)648790_EN.pdf)

Shopify (2022). Future of Ecommerce, available at: <https://www.shopify.com/research/future-of-commerce/future-of-ecommerce>

Shoppify (2022). The future of commerce, available at: <https://www.shopify.com/research/future-of-commerce>

Shopify (n.d.). Grow your business with Facebook and Instagram — from one place, available at: <https://www.shopify.com/facebook-instagram>

Simpson E. (2021). TikTok jumps on online shopping bandwagon, *BBC*, available at: <https://www.bbc.com/news/business-59563238>

Skeldon P. (2021). More than half of Europe's online sales took place on mobile, UK leads the way, *Internet Retailing*, available at: <https://internetretailing.net/mobile-theme/mobile-theme/more-than-half-of-europes-online-sales-took-place-on-mobile-uk-leads-the-way-22845>

Statista (2022). Distribution of Instagram users worldwide as of April 2022, by age group, available at: <https://www.statista.com/statistics/325587/instagram-global-age-group/>

Statista (2022). Distribution of TikTok users worldwide as of April 2022, by age and gender, available at: <https://www.statista.com/statistics/1299771/tiktok-global-user-age-distribution/>

The Economist (2021). Older consumers have learned new tricks in the pandemic, available at: <https://www.economist.com/business/2021/05/06/older-consumers-have-learned-new-tricks-in-the-pandemic>

Verbraucherzentral (2019). Dynamische Preisdifferenzierung im deutschen Online-Handel, available at; <https://www.verbraucherzentrale.de/marktbeobachtung/dynamische-preisdifferenzierung-im-deutschen-onlinehandel-40212>

Verbraucherzentrale (2019). Individualisierte Preisdifferenzierung im deutschen Online-Handel: Eine Untersuchung der Verbraucherzentralen – November 2018, available at: <https://www.verbraucherzentrale.de/sites/default/files/2019-09/marktwaechter-untersuchung-individualisierte-preisdifferenzierung.pdf>

von Helversen B., Abramczuk K., Kopeć W. and Nielek R. (2018). Influence of consumer reviews on online purchasing decisions in older and younger adults, in: Decision Support Systems 113, available at: <https://www.sciencedirect.com/science/article/pii/S0167923618300861>

Which? (2019). Online marketplaces and product safety, Policy paper, available at: <https://www.which.co.uk/policy/consumers/5234/onlinemarketplaces>

Wood Ch. (2021). TikTok and Shopify introduce TikTok Shopping, *MarTech*, available at: <https://martech.org/tiktok-and-shopify-introduce-tiktok-shopping/>

6.2. List of interviews

Type of organisation	Name of organisation	Interview date
Industry association	Ecommerce Europe	11.04.2022
Consumer protection NGO	BEUC	12.04.2022
Industry	Rakuten	26.04.2022
EU institutions	DG JUST	12.05.2022
EU institutions	DG JUST	13.05.2022
National authorities	Irish Competition and Consumer Protection Commission	19.05.2022
Industry	Meta	19.05.2022
National authorities	Swedish Consumer Agency	01.06.2022
National authorities	Norwegian Consumer Authority	02.06.2022

