

(English version)

**Question for written answer E-000181/25
to the Commission
Dimitris Tsiodras (PPE)
(16 January 2025)**

Subject: Protecting children from targeted online advertising

Surveys show that minors have difficulty distinguishing online advertising messages or influencers' content on social media from genuine content.

In addition, advertisements are becoming increasingly personalised and are often targeted at children, surreptitiously exploiting their vulnerability. This is happening despite online platforms' obligation ⁽¹⁾ not to present advertisements based on profiling using personal data of the recipient of the service when they are aware with reasonable certainty that the recipient of the service is a minor.

In view of this:

1. Within the scope of the forthcoming Digital Fairness Act, what action will the Commission take to ensure that providers do not design their services in a manner which exploits the vulnerabilities of children or guides and unjustifiably influences them to take a particular action (e.g. purchasing a product)?
2. What does the Commission intend to do to ensure that online advertising is transparent and that the advertising message or content is presented in a clear manner, particularly in cases where children are likely to see it?

Submitted: 16.1.2025

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(1 April 2025)**

The Digital Services Act (DSA) ⁽¹⁾, the regulation on the targeting and transparency of political advertising (Political Advertising Regulation) ⁽²⁾, the General Data Protection Regulation (GDPR) ⁽³⁾, and the Audiovisual Media Services Directive ⁽⁴⁾ contain specific rules to protect children online.

The Better Internet for Kids Strategy ⁽⁵⁾ aims to ensure that every child is respected, protected and empowered online. Under the GDPR, children's personal data may only be processed with consent of their parent or guardian when they are under a nationally specified age.

Under the DSA, Article 28 requires all online platforms accessible to minors to ensure a high level of privacy, safety, and security for minors and bans advertisement to minors based on profiling.

Article 26 requires platforms to make sure that adverts are clearly labeled so users can easily recognise them. The Commission is developing guidelines to facilitate compliance with Article 28. The Commission is committed to enforcing the DSA and ensuring that the rules are rigorously upheld.

The Political Advertising Regulation prohibits the use of personal data to deliver political advertising to an individual known to be at least one year under the voting age.

The preparatory work on a Digital Fairness Act (DFA) aims at placing a strong emphasis on the protection of children as consumers.

The 2024 Commission Fitness Check of consumer legislation informs the preparation of the DFA ⁽⁶⁾, which will include an impact assessment and consultation.

This work is intended to close gaps in consumer protection, addressing matters such as unfair personalisation practices, marketing by social media influencers, addictive design and gambling-like elements in games.

¹ Digital Services Act

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX%3A32022R2065>

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX:32024R0900>

⁽³⁾ <https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng>

⁽⁴⁾ <https://eur-lex.europa.eu/eli/dir/2018/1808/oj/eng>

⁽⁵⁾ <https://eur-lex.europa.eu/EN/legal-content/glossary/safer-Internet-for-kids.html#:~:text=In%202022%2C%20the%20European%20Commission,are%20in%20children's%20best%20interests>

⁽⁶⁾ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4901