



TEXTS ADOPTED

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Consumer protection in online video games: a European single market approach

European Parliament resolution of 18 January 2023 on consumer protection in online video games: a European single market approach (2022/2014(INI))

The European Parliament,

- having regard to the UN Convention on the Rights of the Child of 20 November 1989, and General comment No 25 (2021) of the UN Committee on the Rights of the Child on children's rights in relation to the digital environment,
- having regard to the Commission communication of 22 April 2008 on the protection of consumers, in particular minors, in respect of the use of video games (COM(2008)0207),
- having regard to the Commission communication of 19 February 2020 on shaping Europe's digital future (COM(2020)0067),
- having regard to the Commission communication of 24 March 2021 on the EU strategy on the rights of the child (COM(2021)0142),
- having regard to the Commission communication of 11 May 2022 entitled 'A Digital Decade for children and youth: the new European strategy for a better internet for kids (BIK+)' (COM(2022)0212),
- having regard to the Council Resolution of 1 March 2002 on the protection of consumers, in particular young people, through the labelling of certain video games and computer games according to age group¹,
- having regard to Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid

¹ OJ C 65, 14.3.2002, p. 2.

down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities¹,

- having regard to Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services²,
- having regard to Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules³,
- having regard to Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council⁴,
- having regard to the Commission notice of 29 December 2021 entitled 'Guidance on the interpretation and application of Directive 2005/29/EC of the European Parliament and of the Council concerning unfair business-to-consumer commercial practices in the internal market'⁵,
- having regard to the Commission notice of 29 December 2021 entitled 'Guidance on the interpretation and application of Directive 2011/83/EU of the European Parliament and of the Council on consumer rights'⁶,
- having regard to the Commission fitness check of EU consumer law on digital fairness, which was launched with a call for evidence on 17 May 2022,
- having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and

¹ OJ L 303, 28.11.2018, p. 69.

² OJ L 136, 22.5.2019, p. 1.

³ OJ L 328, 18.12.2019, p. 7.

⁴ OJ L 304, 22.11.2011, p. 64.

⁵ OJ C 526, 29.12.2021, p. 1.

⁶ OJ C 525, 29.12.2021, p. 1.

on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)¹,

- having regard to Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act)²,
 - having regard to its resolution of 12 March 2009 on the protection of consumers, in particular minors, in respect of the use of video games³,
 - having regard to its resolution of 20 November 2012 on protecting children in the digital world⁴,
 - having regard to its position of 28 March 2019 on the proposal for a regulation of the European Parliament and of the Council establishing the Creative Europe programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013⁵,
 - having regard to the Council conclusions of 13 April 2022 on building a European strategy for the cultural and creative industries ecosystem⁶,
 - having regard to the study of the Policy Department for Economic, Scientific and Quality of Life Policies of the European Parliament's Directorate-General for Internal Policies of July 2020 entitled 'Loot boxes in online games and their effect on consumers, in particular young consumers',
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A9-0300/2022),
- A. whereas video games are played by all age groups in Europe, with half of all Europeans between the ages of 6 and 64 playing video games and with the largest age group being 45-64 years old; whereas 73 % of children aged 6-10, 84 % of those aged 11-14 and 74 % of young people aged 15-24 play video games⁷;
- B. whereas the European video game sector is the fastest growing cultural and creative sector in Europe, with an estimated European market size of EUR 23,3 billion in 2020 and with a higher worldwide

¹ OJ L 119, 4.5.2016, p. 1.

² OJ L 277, 27.10.2022, p. 1.

³ OJ C 87 E, 1.4.2010, p. 122.

⁴ OJ C 419, 16.12.2015, p. 33.

⁵ OJ C 108, 26.3.2021, p. 934.

⁶ OJ C 160, 13.4.2022, p. 13.

⁷ COM(2022)0212.

turnover compared to music and movie companies¹, whereas this sector represents an important potential for growth and job creation, and contributes to Europe's digital single market; whereas the video game sector is the only cultural and creative industry to have experienced turnover growth during the COVID-19 crisis²;

- C. whereas video games have a unique creative value compared to computer programs, as recognised by the Court of Justice of the EU³, and are protected under Directive 2009/24/EC⁴ on the legal protection of computer programs and Directive 2001/29/EC⁵ on the harmonisation of certain aspects of copyright and related rights in the information society, on which the value chain is based;
- D. whereas despite its central role in the European cultural and creative ecosystem, the video game sector is still neglected by policymakers in comparison to other media industries, especially film and other audiovisual products, which generally receive more funding and are used as a model to shape regulations and policies around video games, an approach that does not consider the differences between them;
- E. whereas the European video game industry is mainly made up of small and medium-sized enterprises (SMEs) and start-ups, which play an important role in innovation and growth in this sector⁶;
- F. whereas the video game industry has a complete value chain based on innovation and creativity, encompassing a vast range of skills and know-how; whereas technological developments in the online video game sector are becoming increasingly important and spill over to other sectors and industries like construction, design, retail, education, marketing, virtual/augmented reality and online shopping;
- G. whereas some of the companies in the sector use content created by minors and young children; whereas measures should be put in place

¹ Interactive Software Federation of Europe and European Games Developer Federation, '[Key facts from 2021: Video games – a force for good](#)', accessed 19 December 2022.

² EY, 'Rebuilding Europe: the cultural and creative economy before and after the COVID-19 crisis', January 2021.

³ Judgment of the Court of Justice of 23 January 2014, *Nintendo Co. Ltd and Others v PC Box Srl and 9Net Srl*, C-355/12, ECLI:EU:C:2014:25.

⁴ Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (OJ L 111, 5.5.2009, p. 16).

⁵ Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167, 22.6.2001, p. 10).

⁶ European Commission, '[The value of European video games society](#)', 30 May 2022.

to protect minors and young children from being commercially exploited as online game content creators¹;

- H. whereas video games are one of the most popular forms of entertainment in Europe, alongside other entertainment activities, as a Eurobarometer study from 2019 found that 27 % of Europeans play games online at least once per month compared to 48 % who stream music and 47 % who watch films or TV shows on online platforms;
- I. whereas the functioning of online gaming relies on connectivity in order to provide a stable and high-quality experience; whereas the level of Europeans' satisfaction regarding upload and download speeds of their internet connections varies across Europe, exceeding 90 % in some Member States and reaching as low as 65 % in others²; whereas in rural areas, dissatisfaction with internet connectivity is 30 % higher than in urban areas;
- J. whereas online video games can be played on many different devices and can be enjoyed using a number of functionalities, design choices and tools, such as multiplayer mode, real-time voice chat systems, online shopping, augmented reality, virtual reality, free or paid downloadable content, subscriptions and loot boxes, that can shape the gaming experience for players; whereas not all video games enable online interaction with other players; whereas parental control tools exist to disable any interaction with other players;
- K. whereas so-called loot boxes containing apparently random objects are usually accessible through the game or can be paid for with real money; whereas they can be sold using game designs, commonly known as dark patterns, which could have negative psychological and financial consequences through unwanted or uncontrolled purchases, especially for minors and young children; whereas there is an ongoing court case in the Netherlands on the measures to apply to loot boxes; whereas Slovakia is also investigating the appropriate measures to take; whereas this lack of a harmonised approach leads to the fragmentation of the market for video games within the EU; whereas there are no specific consumer protection mechanisms at European level to ensure the protection of all players, particularly minors and young children, as regards paid loot boxes;
- L. whereas the gaming industry has evolved in recent decades from an arcade and boxed revenue model to a now widely employed games-as-a-service, pay-to-win or freemium business model; whereas despite spiralling development costs, game prices have stabilised owing to the possibility of spreading these costs via game extensions;

¹ Parker, S., '[The trouble with Roblox, the video game empire built on child labour](#)', *The Guardian*, 9 January 2022.

² Kantar at the request of the European Commission, '[Special Eurobarometer - Report - E-Communications in the Single Market](#)', June 2021.

notes however that the end cost for the extended game experience can significantly increase over time;

- M. whereas some online video games are based on monetising users through data collection and advertisements, creating an incentive to get users, including minors and young children, to spend as much time as possible on games;
- N. whereas spending excessive amounts of time playing online video games, which is aggravated by manipulative design, can create addiction and lead to ‘gaming disorder’, as defined by the World Health Organization (WHO) International Classification of Diseases¹;
- O. whereas consumer protection related issues may occur when playing video games, in particular with regard to minors and young children, regardless of the amount of time spent playing;
- P. whereas minors and young children under the supervision of their parents and caretakers have the right to participate in the digital world in a manner consistent with the evolving capacities of the child;
- Q. whereas Article 31 of the UN Convention on the Rights of the Child states that all children have the right to play and to freely and fully experience cultural life and activities appropriate to their age;
- R. whereas in-game purchases can allow players to, for example, receive cosmetic items like skins or content to give them a gameplay advantage, avoid advertising, remove cool-down timers or avoid excessive waiting times and escape ‘grinding’;
- S. whereas a majority of parents use some form of parental control tool; whereas the majority of parents are concerned about the amount of time their children spend playing video games and the risks of exposure to harmful content, bullying, contact with adult strangers and in-game purchases;
- T. whereas many parents in Europe are aware of the Pan-European Game Information (PEGI) system and find the PEGI label useful in deciding whether or not to buy a game for their children²;
- U. whereas industry figures indicate that time spent playing video games is overall stable, with Europeans spending an average of 9 hours a week playing video games in 2021, 9,5 hours in 2020, 8,6

¹ WHO, ‘[Gaming disorder](#)’, accessed 15 December 2022.

² Interactive Software Federation of Europe and European Games Developer Federation, ‘[Key Facts 2020: The year we played together](#)’, 24 August 2021.

hours in 2019, 8,8 hours in 2018 and 9,2 hours in 2017¹; whereas the time spent playing video games is still less than the screen time spent on other activities, such as watching TV, which was on average 25 hours a week in 2020;

- V. whereas health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity; whereas mental health and well-being are interrelated issues that need to be taken into account in all areas, such as education, health, employment and social inclusion; whereas videogames can be important tools to support mental health and well-being and can be used to make progress in these areas, as well as to help to develop skills that are essential in a digital society and for the building of the digital single market;
- W. whereas in 2019, 20 % of people employed by the video game industry were women; whereas the lack of representation of women is a well-known and systemic issue in the science, technology, engineering and mathematics disciplines, including in the video game sector, both in the industry itself and in the hyper-sexualised representation of many female characters in game design; whereas 37 % of girl gamers experience harassment as a result of their gender in online multiplayer games²; whereas despite the efforts that have been made in terms of accurate, equal and non-stereotypical representation of women in video games, progress must continue and go hand in hand with the equal presence of women in all positions in the value chain, as well as with the fight against sexual abuse and discrimination;
- X. whereas in 2020, one fifth of the EU population was persons with disabilities; whereas the Union is committed to improving their social and economic situations, including online; whereas there are certain disabilities that can be particular challenging for online video games, like colour blindness, visual challenges or hand mobility impairments; whereas colour blindness affects 10 % of the male population;

Online video games in the EU

1. Underlines the value of video games for both online and offline play as popular entertainment enjoyed by a significant number of Europeans across all ages and Member States and as pieces of

¹ Interactive Software Federation of Europe and European Games Developer Federation, '[Key facts from 2021: Video games - a force for good](#)', accessed 19 December 2022.

² Written evidence submitted by the Anti-Defamation League to the Joint Committee on the Draft Online Safety Bill of the UK Parliament (OSB0030), '[How Algorithms Influence Harmful Online Conduct](#)', September 2021.

cultural expression by their creators, individual players and wider gaming communities;

2. Emphasises that video games are a highly innovative digital sector in the EU and that the sector is responsible for more than 90 000 direct jobs in Europe; underlines that the video game sector offers an increasing number of new job opportunities for many cultural creators, such as game developers, designers, writers, music producers and other artists, which any Union action in this field, especially funding activities, should take into consideration; stresses that video games straddle both the digital and cultural sectors, as video games also represent a crucial part of the cultural and creative ecosystem, making up over 50 % of the added value of the overall EU market for audiovisual content;
3. Stresses the importance of the video game industry in bolstering innovation in Europe; stresses that the video game sector has contributed to the development of new technologies, such as artificial intelligence and virtual and augmented reality technologies, among others;
4. Recalls the importance of SMEs in the European video games value chain and the global prominence many European companies developing for console, PC and mobile gaming markets enjoy; expresses disappointment that such international success and cultural appeal is often overlooked when considering European leadership in digital technologies and services;
5. Welcomes the launch of Parliament's proposed pilot project entitled 'Understanding the Value of a European Games Society', which aims to gather comprehensive data to support policy-making that affects the sector; notes that some of the problems faced by the sector include talent development and retention, a complex and fragmented regulatory framework in a global marketplace, access to finance and the social and cultural impacts of video games;

Bolstering consumer protection in online video games

6. Emphasises that consumer protection is essential to ensure a safe and trustworthy online environment for video games and gamers and that building confidence among consumers can boost the economic growth of the video game industry; believes, however, that consumer protection could be further improved; invites the Commission to take into account consumer protection issues in online video games as part of its ongoing fitness check on EU consumer law to ensure equal fairness online and offline;
7. Acknowledges that the EU consumer law *acquis* provides for strong consumer protection, which is fully applicable to video games; notes the Commission notice of 29 December 2021 on unfair business-to-consumer commercial practices in the single market, which provides

direction on the application of EU consumer law on in-game promotions and advertising, including to children, in-game purchases and the presence of paid random content; notes, however, the need for a consistent and coordinated approach between Member States and consumer protection authorities in order to avoid fragmentation of the single market and to protect consumers in Europe;

8. Urges the Commission and national consumer protection authorities within the Consumer Protection Cooperation Network to ensure that European consumer law is fully respected and enforced in the video game sector;
9. Notes the existence of online video game platforms that allow players, including minors and young children, to create their own games using the tools provided and owned by the developer; calls on the Commission to adopt, if needed, regulatory measures in order to protect users, especially minors and young children, from illegal practices in which these platforms may be engaged;
10. Welcomes the fact that, from January 2022, Directive (EU) 2019/770 will apply to video games, including free-to-play games, and will thus provide additional protection for consumers; regrets, however, that some Member States have not yet transposed the directive and urges those Member States to implement it without delay in order to ensure greater consumer protection across the Union; calls on the Commission to closely monitor the transposition process for the directive, to maintain a close dialogue with Member States lagging behind on its implementation and to consider launching infringement procedures, where necessary;
11. Welcomes the development and implementation of parental control tools that help to filter content and video games by age, monitor time spent playing games, disable or limit online spending and restrict communications with others or the viewing of content created by other players; recalls that platform-level parental controls are not the only method used by parents to monitor and manage access to content by their children; notes, however, that, even when available, parents may also not be aware of or may have difficulty implementing such tools, which reduces their effectiveness; believes that the responsibility for developing such mechanisms lies with the industry; considers that such mechanisms must be easy to use, understand and set up and must be consumer protective 'by design' and 'by default'; believes that the implementation of parental controls lies both with parents and the industry; calls for mechanisms to be put in place to exercise stricter parental control over the amount of time and money minors and young children spend on games, among other things, while respecting the rights and development of minors; encourages platforms to increase awareness and information on how to use such tools; calls on the Commission and the Member States to support the promotion of public and

private education and information campaigns directed at parents and caretakers in order to inform them of the tools in place, such as the PEGI phone application, and to encourage their usage;

12. Points out that there are a variety of business models adopted in the video game sector; notes that some online video games offer their users in-game purchases using in-game currencies, which can be either purchased with real money or earned in the game, in order to obtain items through loot boxes or any other type of apparently randomised in-game purchase, the content of which the player cannot know before paying; points out that different types of loot boxes exist¹, notes that such systems are not without consequences for consumers and that games with a pay-to-win model, in particular aggressive pay-to-win models, or models that lock popular content behind paywalls have attracted negative reactions from gaming communities, leading to negative reviews and even changes to games prior or soon after their release;
13. Stresses that in-game purchases have been present in video games for many years; supports the Commission's recently adopted guidance on the Unfair Commercial Practices Directive², which clarifies the rules as regards paid apparently random items that are present in video games; stresses that in-game purchase systems must also be compliant with the Unfair Commercial Practices Directive and the recently adopted guidance to ensure that they do not result in harmful practices affecting consumers, especially minors and young children; calls for the Unfair Commercial Practices Directive to be complied with and swiftly implemented to ensure consumer protection in the single market, particularly for minors and young children;
14. Acknowledges its commissioned study on loot boxes and their effects on consumers, particularly minors and young children; notes that the study recommended that loot boxes be examined from the perspective of consumer protection legislation in order to avoid harmful effects and exploitative practices of loot boxes, especially for

¹ The types of loot boxes can differ depending on different eligibility conditions (waiting time, displaying ads, paying with real money), the reward, its transparency, the chances of getting the item and the possibility of converting the item obtained into game currency or real money, among others.

² Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (OJ L 149, 11.6.2005, p. 22).

minors and young children¹; calls on the Commission to analyse the way in which loot boxes are sold, and to take the necessary steps to bring about a common European approach on loot boxes to ensure adequate protection of consumers, in particular minors and young children;

15. Points out that some game designs used for in-game purchases are manipulative and exploitative by design, as they use aggressive commercial practices that significantly impair the consumer's freedom of choice and motivate them to make financial decisions that they would not have taken otherwise; notes that such practices are clearly prohibited under Directive (EU) 2019/2161; calls on video games developers and vendors to ensure that games targeted towards minors respect minors' and young children's rights, including as regards privacy, targeted advertising and manipulative practices; considers that minors and young children, when playing online video games, should benefit from an equal level of protection to that provided by the Digital Services Act;
16. Notes that, beyond in-game purchases systems and paid random items, other deceptive designs also occur in video games and can distort consumers' behaviour; calls on national authorities to effectively enforce European and national consumer protection laws, in particular the Unfair Commercial Practices Directive, and the corresponding guidance thereon, which prohibits certain dark patterns, aggressive marketing practices and misleading transparency on information that is required to be provided to consumers; calls furthermore on the Commission to continue assessing these issues, in particular dark patterns, as part of the ongoing fitness check on EU consumer law on digital fairness and to present adequate initiatives if deemed necessary;
17. Stresses that developers of online games that are directed towards to minors and young children must take their ages, rights and vulnerabilities into account; stresses that they must meet the highest possible standards by design and by default when it comes to safety, security, privacy and setting time limits, notes that, in addition to supplementing the standards by default, parents can play an important role in protecting minors and young children when playing video games; points out, however, that the gaming industry should carry out awareness campaigns and support on the use of appropriate tools and information on how to better protect their minors and young children;
18. Stresses that video games are both tools for playing and works of art with cultural value;

¹ Forbrukerrådet, '[Insert coin -How the gaming industry exploits consumers using loot boxes](#)', 31 May 2022.

19. Stresses that consumers should have all the necessary information about an online video game, including on the presence of in-game purchases such as loot boxes and other apparently randomised in-game purchases, and should be aware of the type of content before starting to play and during the game, stresses that such information should be clearly displayed and easily understandable for all consumers before the purchase of the game and before each in-game purchase to better protect consumers, especially minors and young children, and to help parents to understand and control their spending; notes that, when virtual currencies are used in online games, their value in real-world currency should always be clearly and prominently indicated to consumers for each purchase; recalls that the absence of such information is clearly prohibited under Directive (EU) 2019/2161;
20. Points out that online video games that give players the option to obtain an edge in return for payments in pay-to-win models must clearly inform players about this feature before they start to play; reckons that such pay-to-win models can create a disparity between players depending on their means; encourages games using such models to therefore include a play mode without pay-to-win transactions;
21. Welcomes that the Commission will examine auto-renewals for subscriptions and contracts in the upcoming fitness check of consumer protection legislation; notes that auto-renewals can be beneficial for both the user and the trader, improving convenience for users and limiting subscriber administration for the trader, but they can also be problematic if the auto-renewals continue indefinitely against the consumer's intentions; encourages both the Commission, in its examination, and traders, in their company policies, to take into account best-practices from Member States or companies that already have consumer-friendly auto-renewal policies in place; calls on the Commission to introduce an obligation at EU level whereby traders must provide users with an opt-in proposal at purchase instead of having it as a default feature, as well as with clear and easily accessible information on how to cancel auto-renewals at any time, and must make the process of cancelling the auto-renewals simple and as easy as signing up;
22. Calls for greater transparency from video games developers on the probabilities in loot box mechanisms, including information in plain language about what algorithms are trained to achieve;
23. Underlines that return and refund guarantee policies are a corner stone of the Union's consumer rights, and that consumers have the same right to return and ask for a refund for online purchases as they have for in-person purchases; notes that for online and digital content, whether downloaded or streamed, the right to a refund applies if the product or service is faulty or if the consumer does not

gain access to the product as expected; calls on traders to fully comply with EU consumer protection rules and to provide clear, transparent and reliable information on how to request a refund or make use of the right of withdrawal;

24. Stresses that persons with disabilities should be able to play all types of online video games; and that both technical and communicative features of online video games and any relevant information related to playing or purchasing the game must be inclusive and accessible; calls on the Commission to present initiatives to improve the accessibility of online video games for persons with disabilities; encourages providers of online video games to make games accessible by applying the accessibility requirements of Annex I of Directive (EU) 2019/882¹;
25. Points out that once an item has been obtained in a video game, it can, in certain cases, be exchanged within the game or through third-party websites for real money, which is contradictory to the terms and conditions applied by video game publishers; calls on national authorities to put an end to illegal practices allowing anyone to exchange, sell or bet on in-game sites; stresses that, above and beyond consumer protection issues, these services could lead to money laundering; calls on the Commission to put an end to this practice; considers that the Digital Services Act may help mitigate this problem, in particular through the implementation of the 'know your business customer' obligations;
26. Is concerned that gold farming may be connected with forced labour and exploitation in developing countries and with money laundering; calls on the Commission to assess the use of gold farming in connection with financial crimes and human rights abuses and to present appropriate initiatives if necessary;
27. Calls on the Commission to put forward a European video game strategy that unlocks the economic, social, educational, cultural and innovative potential of this sector to enable it to become a leader in the global video game market; calls on the Commission to assess during its upcoming fitness check of EU consumer law on digital fairness whether the current consumer law framework is sufficient to address all the consumer law issues raised by loot boxes and in-game purchases and, if not, calls on it to present a legislative proposal to adapt the current EU consumer law framework for online video games or to present a stand-alone legislative proposal on online video gaming to establish a harmonised European regulatory framework that ensures a high level of consumer protection, in particular for minors and young children; considers that these

¹ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

proposals should assess whether an obligation to disable in-game payments and loot boxes mechanisms by default or a ban on paid loot boxes should be proposed to protect minors, avoid the fragmentation of the single market and ensure that consumers benefit from the same level of protection, no matter their place of residence;

28. Calls on the Commission to assess the possibility of requiring providers of online video games that are directed towards minors and young children to develop *ex-ante* child impact assessments based on the 4Cs ('content, contact, conduct, contract') framework for classifying risk and to effectively mitigate any identified risks to minors' rights;

Additional benefits and risks for consumers

29. Emphasises the importance of mental health, particularly that of minors and young children; notes that video games provided relief during strict lockdown periods during COVID-19; recalls the positive role that online connectivity played in ensuring that Europeans could still communicate, interact and create together, including via online video games; recalls that gaming can provide interactive avenues for individuals who experience social disconnection or isolation in real-life environments; notes that this has been particularly true for elderly people, who are among those who have suffered the most from isolation during the COVID-19 pandemic; notes that the WHO believes that online games can become a key instrument in nurturing our bonds to others¹; notes the benefits of cross-platform online games for the user experience – by enabling players to interact easily across different platforms – and for game developers, and calls on the video game industry to make every effort to make the fullest possible use of this feature; notes more generally the opportunities and new perspectives generated by access to creative expression and cultural content, in particular for minors and younger children; calls on the Commission to continue to act to improve Europe's digital infrastructure, which supports not only the creative industries in developing high-quality content, but also European citizens' access to those culturally significant works;
30. Believes that many people use video games not only as a leisure activity, but also as mental exercises, such as by solving demanding tasks and puzzles, engaging in contests with other players that require a high level of concentration and developing skills such as problem-solving, spatial and hand-eye coordination, teamwork, visual acuity and speed;
31. Proposes to organise a yearly EU online video game award at Parliament in Brussels – the European Award in online video games –

¹ [Bloomberg, 'Games Industry Unites to Promote World Health Organization Messages Against COVID-19; Launch #PlayApartTogether Campaign'](#), 10 April 2020.

in order to highlight the importance for the European digital single market of companies producing online video games, many of which are SMEs, in terms of jobs, growth, innovation and the promotion of European values; considers that the award should aim to promote online video games that are respectful of consumers' rights or that have a positive impact on specific areas, such as education, or on the development of skills;

32. Welcomes the innovative EU Kids Online research project, which gathers high-quality data from across Europe on children's perspectives on their online experiences; calls for more frequent updates to this world-leading initiative; calls on the Commission to fund this and similar initiatives in the future;
33. Stresses that online video games are important for education, as they can be a useful tool during learning processes, and that many games are specifically designed for educational purposes, such as to provoke debate about societal issues or to improve understanding of historical or cultural events; recalls that video games feature on national educational curricula; notes that commercial video games are also used for educational purposes; points out that video games are also used to develop critical thinking and skills and to stimulate creativity; stresses too that video games have further applications later in life, as they may offer mental stimulation and opportunities for connectivity for older persons;
34. Stresses that playing online video games excessively can have a negative impact on social relations, work, school drop-out rates, physical and mental health and poor academic performance, while research also shows that video games may have a positive impact; emphasises therefore the need to strike a healthy balance;
35. Stresses that video game addiction, also known as 'gaming disorder', is a problem for some players; notes that the WHO has classified gaming disorder as a form of addiction characterised by impaired control over gaming, increased priority given to gaming over other activities to the extent that gaming takes precedence over other interests and daily activities, and continued or escalated gaming despite negative consequences;
36. Emphasises that the video game industry, users and parents should not underestimate the risks and effects stemming from gaming disorder; recalls that scientific research has shown that puberty and adolescence are periods in life in which people are most at risk of addictive behaviour; calls for further collaborative work among video game designers, publishers, platforms and the wider stakeholder community, including national competent authorities and the Commission, to help mitigate the risks of gaming disorders; suggests that more awareness campaigns should be launched to ensure that parents and young gamers are aware of the risks related to gaming

disorder and calls on game developers to avoid manipulative game design that can lead to gaming addiction, isolation and cyber-harassment;

37. Notes a lack of EU-wide disaggregated data on average time spent playing games, average in-game spending, general gaming experience and consequent socio-psychological effects, calls on the Commission to collect this data on a yearly basis and present a report to Parliament on it;
38. Notes that the gaming industry has access to vast quantities of sometimes sensitive personal data; stresses that it has to ensure that personal data processing is undertaken in line with the General Data Protection Regulation other EU legislation and that users profiles created using behavioural data are not used for manipulative and discriminatory purposes; calls on the competent authorities to ensure that relevant EU and national law is rigorously enforced; stresses that patterns analysis of players through the collection of data should not favour techniques aiming to hook players, but should instead focus on enhancing the gaming experience; encourages developers to consider game design in chapters or frequent save points to facilitate attention breaks during which players are able to disconnect;
39. Points out that online video game platforms can be used by fraudsters for phishing; calls for information campaigns to be conducted in order to raise awareness about the risks involved, especially among minors and young people;
40. Urges the video game industry, the Commission and the Member States to develop an action plan to ensure gender balance in all stages of development in the online games industry; calls, in addition, on the industry to avoid objectifying women and to avoid creating, repeating or exacerbating gender stereotypes; stresses that these far too common practices create a hostile environment for women and girls in online games;

Ensuring a safe online environment for online video game users

41. Welcomes industry-led initiatives, such as PEGI, which is used in 38 countries; considers that such a rating system can be particularly beneficial in providing content descriptors and information on the recommended age for playing a game, which helps parents to select appropriate games for their children; underlines that the rating system forms one part of the overall PEGI Code of Conduct, which collectively aims to ensure a safe environment for gamers; welcomes the updated approach by PEGI, which now informs consumers if a game includes paid apparently random features; underlines that the presence of in-game paid content, including paid apparently random content, does not preclude parents from managing access to that

type of content, while permitting a child to access the base game if judged to be age-appropriate; notes that some countries have made the PEGI system into law; calls on the Commission to assess how the PEGI system is being implemented in the different types of games available on the market and across the Union and to explore the possibilities for enshrining it in EU law in order to make the PEGI system and its Code of Conduct the harmonised, mandatory age-rating system applicable to all video game developers, app stores and online platforms in order to avoid fragmentation in the single market and provide legal certainty for the video game industry;

42. Acknowledges the potential of the PEGI system to provide important pre-contractual information to consumers; considers however that this industry-led initiative should be complemented by additional measures to ensure the highest level of consumer protection and to resolve the consumer law issues created by in-game purchases and loot box mechanisms;
43. Encourages the industry, including game platforms and publishers, independent expert partners and rating agencies to continue awareness-raising campaigns on the PEGI system, so that more parents know about its existence, and to remain reactive in order to adapt the rating system in response to developments in video games and their in-game content to continue to facilitate parental choice;
44. Calls on the Commission to develop minimum standards on privacy preservation and to assess the need for secure and inclusive age-assurance system;
45. Notes with concern the risks associated with the use of hate speech and cyberbullying on online video game platforms, which is particularly dangerous when directed at minors and young children;
46. Stresses that online video games must provide a safe digital environment for users; welcomes the recent adoption of the Digital Services Act, which updates content moderation rules in Europe in order to better tackle illegal online content, including for video games; calls for it to be transposed into national law and implemented swiftly;
47. Draws attention to the fact that, in addition to illegal content, harmful content can also be disseminated in video games through in-game communication features or gaming social media platforms; stresses that the video game industry must adopt appropriate measures and tools to protect all users from harmful content, in line with applicable national and EU legislation;
48. Calls on the Commission and the Member States' consumer protection authorities to ensure that consumer law is fully respected and enforced, including in the video game sector, by conducting sectoral 'sweeps' or by launching a coordinated enforcement action,

under Regulation (EU) 2017/2394 on cooperation between national authorities responsible for the enforcement of consumer protection laws¹, when necessary;

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

¹ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, 27.12.2017, p. 1).