

Paris, 2022, July, 5th

Public letter: 10 principles for fair choice screens and effective switching mechanisms

Qwant, DuckDuckGo et Ecosia sign today an open letter suggesting to the European legislator, 10 principles to fairly apply the Digital Markets Act.

“This letter is a non-exhaustive list of principles to effectively implement the Digital Markets Act, which will be starting in 2023. Our goal is to preserve the freedom of choice of Internet users. The implementation of these principles will allow them to choose their browser and search engine, from the first time they search, and will give them the opportunity to change them easily and regularly. This freedom of choice should apply to all web services. With this letter, we want to take a constructive and collaborative approach towards GAFAs and our competitors. Qwant is at their disposal to facilitate thinking on these issues” explain Corinne Lejbowicz, Chairman of Qwant.

10 Principles for Fair Choice Screens and Effective Switching Mechanisms

Choice screens and effective switching mechanisms are crucial tools that empower users and enable competition in the search engine and browser markets. The European Union (EU) has taken an important first step by adopting the Digital Markets Act (DMA), which includes obligations to implement such tools. However, the effectiveness of the EU’s mandates and related regulatory efforts across the globe will depend on how gatekeepers implement changes to comply with these new rules.

Without strict adherence to both clear rules and principles for fair choice screens and effective switching mechanisms, gatekeeping firms could choose to circumvent their legal obligations. We suggest regulators make clear their enforcement should adhere to the following **ten essential principles for fair choice screens and effective switching mechanisms**:

1. **Free of charge:** Any choice screen or other switching mechanism must be free of charge for participants.
2. **Available as a prominent setting:** Choice screens should be available any time users wish to switch, such as being available as a top-level setting, and not just shown once at device onboarding.
3. **Periodically presented to users:** Choice screens should be shown periodically to users, for instance on major OS updates. Initial device onboarding is not the only time when users are in the mindset to change core services, and major software

updates can reset or affect gatekeeper-controlled search and browser default settings.

4. **Effective across gatekeeper-controlled access points:** A choice decision from the user should apply to all access points controlled by the gatekeeping company. For example, for a search engine choice screen on a smartphone, the user's decision should apply to all pre-set search entry points at once, such as the search widget on the home screen, auxiliary search widgets, default browser, default assistant, etc.
5. **No technical preference given to an app:** The gatekeeper shouldn't grant itself or any search engine or browsing app a "system" status making them impossible to uninstall. When the user deletes the default search or browsing app, this should trigger the relevant choice screen to appear.
6. **Enable all-at-once defaults switching from apps and websites of other providers:** Users should be able to switch all gatekeeper-controlled access points in one click via a prompt from a competing app or website. If an app provides both services (that is, a browser *and* a search engine), the user should be able to switch all the defaults for both.
7. **Transparent user testing to achieve user-centric design:** In order to ensure there are no dark patterns, third-parties like competitors and trusted consumer organizations should be given the opportunity to user test proposed designs and provide feedback. As part of a collaborative, iterative process, their feedback should be duly taken into account by the gatekeeper and, ultimately, the regulator. Choice screen and switching mechanism design should facilitate clear choice and unfair attempts to reverse consumer choices should be banned.
8. **Functional eligibility criteria:** An app's functional ability should be the only eligibility criteria for being a participant in a choice screen process. For instance, many search engine apps are also full web-browsers and operating a search engine should not preclude them from being shown on browser choice screens.
9. **User-expected choices:** The list of options on choice screens should reflect the diversity of the market and be determined objectively by the best-available and commonly agreed market share data. The most popular choices should be displayed randomly up top, which will ensure all main user-expected choices are initially visible, then followed by less popular choices arranged randomly.
10. **Transparent dashboards for participants:** Data on the effectiveness of choice screens should be made available on a daily basis to participants via a self-serve dashboard where companies can see how many impressions and selections occurred, and more.

Gatekeeping firms should globally roll out fair choice screens and effective switching mechanisms now, using these principles. We are ready to work collaboratively towards this end, honoring the users' desire to choose the services they want to use, and not having those choices decided for them by default.

SIGNATORIES

- Gabriel Weinberg, CEO, DuckDuckGo – <https://duckduckgo.com>

- Christian Kroll, CEO, Ecosia - <https://www.ecosia.org/>
- Corinne Lejbowicz, President, Qwant - <https://www.qwant.com/>

About Qwant

Developed in France and leader in Europe, Qwant is the search engine that respects the privacy of its users by protecting their personal digital data.

Qwant develops its own web indexing technology, designed to provide unbiased, exhaustive and unprofiled search results. Qwant provides a search service with zero search tracking, zero advertising tracking and zero sale of personal data.

In addition to [Qwant Search](#), [Qwant Maps](#), a mapping service, and [Qwant Junior](#), a search engine dedicated to 6-12 years old, Qwant offers [Qwant VIPrivacy](#), a browser extension that allows users to browse the web without being subject to ad tracking. Qwant has 6 million monthly users. Find Qwant on desktop and on iOS and Android mobile applications.

Qwant, the search engine that knows nothing about you

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