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„Influencer marketing i zaštita potrošača"
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INFLUENCER MARKETING AND CONSUMER PROTECTION

Summary: *At a time of strong digital transformation in the field of audiovisual and electronic communications, consumers are very much exposed to the risk of various types of marketing fraud and manipulation. European Union policies strive to ensure a high level of consumer protection in the area of influencer marketing, implementing various measures and activities to that end. However, their effectiveness is compromised for a number of reasons, one of which is the fragmentation of regulations related to influencers.*

The popularity of influencer marketing is constantly growing, and companies are happy to use it because it is flexible and effective. Followers take the recommendations of their favorite influencers quite lightly in terms of purchasing and consuming various goods and services. The fundamental legal problem lies in the non-transparency of such advertisements, because influencers generally do not indicate that it is a paid advertisement. They use unfair business practices to mislead their followers, violating their consumer rights.

In this paper, special attention is paid to one of the most important consumer directives of maximum harmonization, which under certain assumptions applies to influencers and their marketing activities – Directive 2005/29/EC on unfair business practices. It is a key instrument of European Union law for the protection of consumers from manipulative advertising, misleading marketing and problematic business practices of influencers. In addition to reviewing the consumer acquis, the paper also provides a comparative presentation of the rules on influencer marketing and consumer protection in certain European countries.

Keywords: *fraudulent advertising, paid promotions, targeted advertising, social networks, unfair commercial practice*