



**Dnevi slovenskih
pravnikov**

16. IN 17. OKTOBER 2025
GH BERNARDIN, PORTOROŽ

ORGANIZATORJI: Zveza društev pravnikov Slovenije / Zveza društev za gospodarsko pravo Slovenije / LEXPERA d.o.o., GV Založba

Digitalni dregljaji in temni vzorci – kako tehnologija izrablja naše vedenjske šibkosti

Manja Skočir

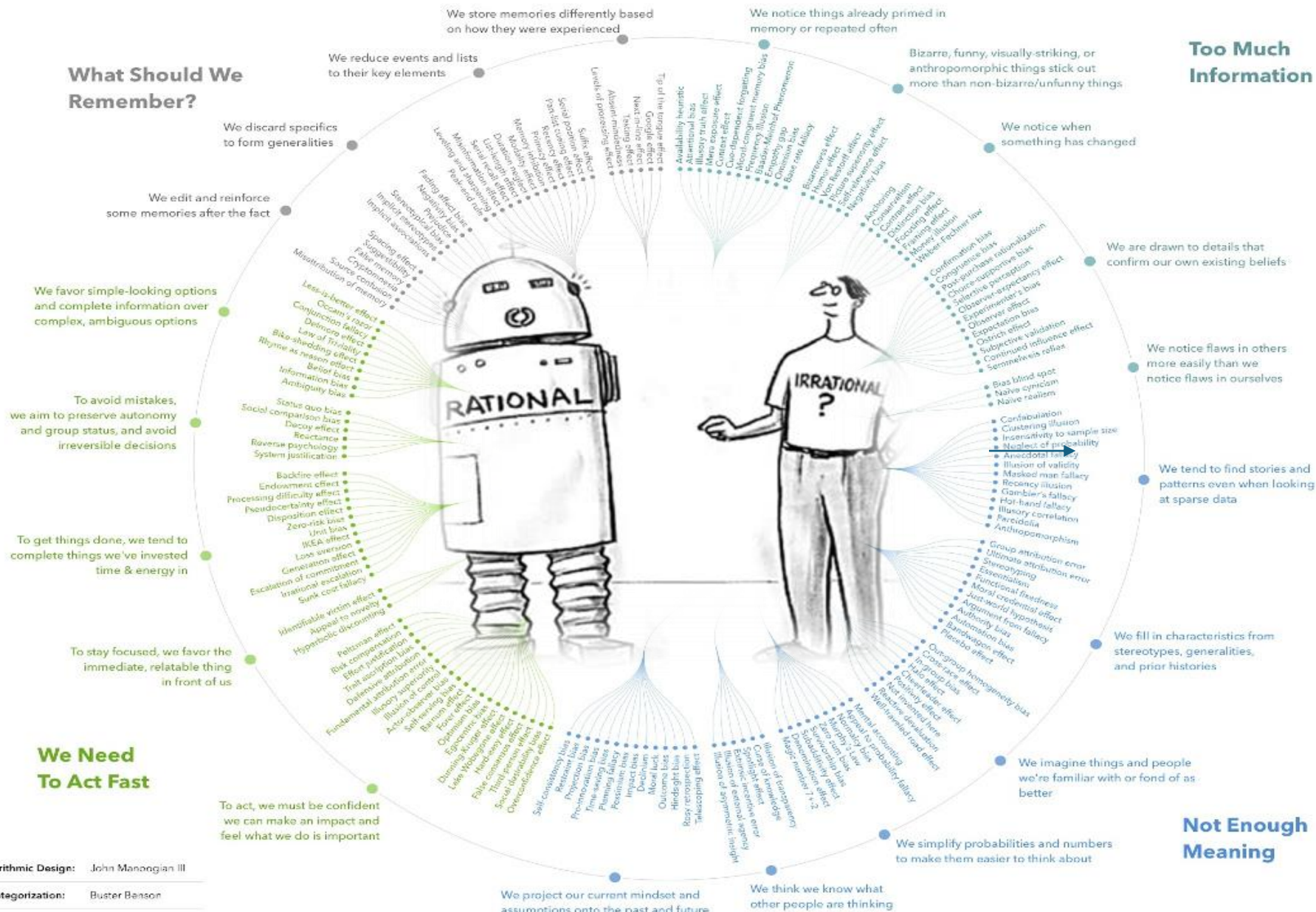
Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani



INŠTITUT ZA
KRIMINOLOGIJO

pri Pravni fakulteti v Ljubljani

COGNITIVE BIAS CODEX



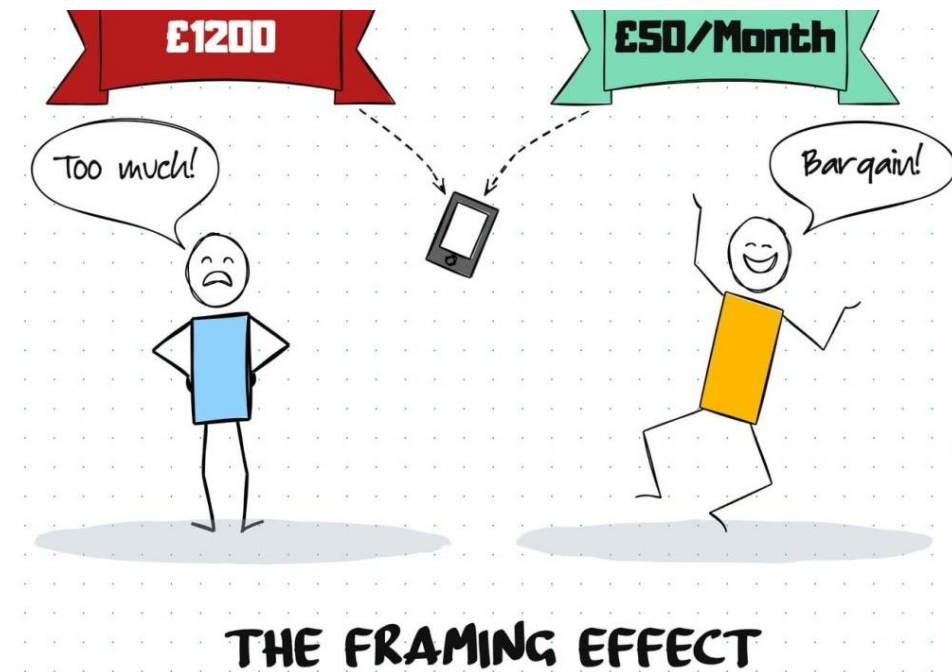
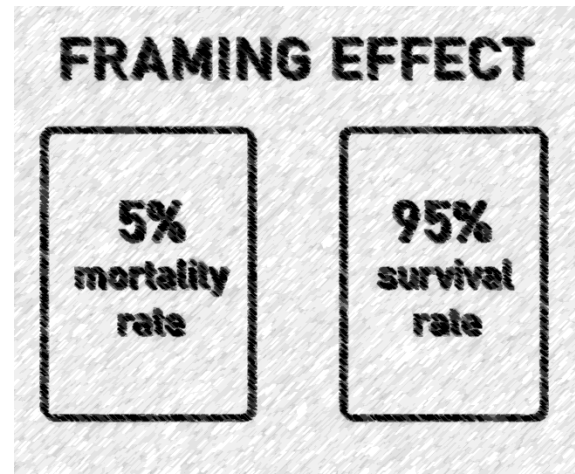
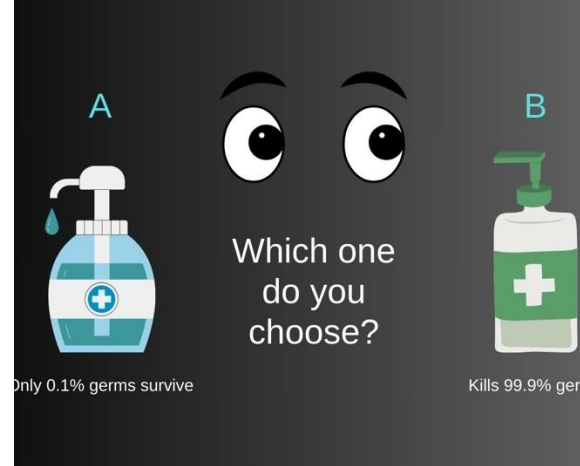
Visual & Algorithmic Design: John Manogian III

Concept & Categorization: Buster Benson

List of 188 Cognitive Biases: [Wikipedia](#)

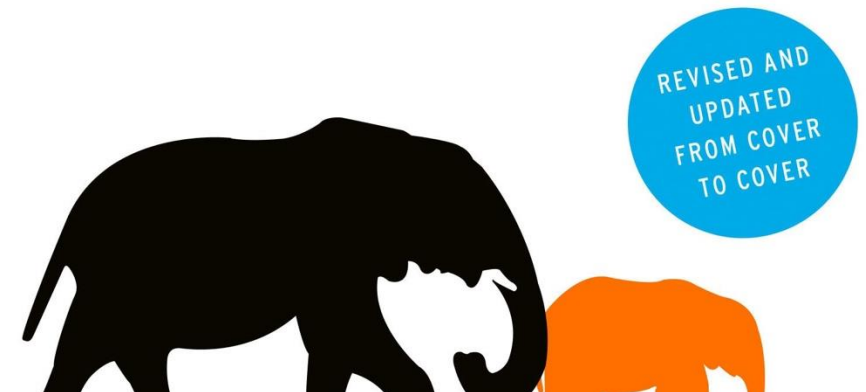
designhacks.co

Libertarni paternalizem & teorija dregljajev



NUDGE

THE FINAL EDITION



Dva cilja lib. paternalističnega programa:

1. Inženirski del: kako vplivati na vedenje brez prisile? **Z izkoriščanjem kognitivnih slabosti**
2. Normativni del: kako pokazati, da so te intervencije upravičene, celo zaželenene?

Ugovori proti libertarnemu paternalizmu/ dregljajem

- Avtonomija & nezdružljivost z idejo liberalne demokracije
 - Libertarni paternalizem kot vrsta **mehkega paternalizma**
- Svoboda izbire
 - Razlika med nominalno in dejansko svobodo
- “resnične preference” in “resnični interesi”
- Neverodostojnost programa: gradi na tezi o iracionalnosti, predlaga pa hiper-racionalni program (lib. paternalizem kot variacija neoklasične ekonomije/ neoklasična racionalnost ostaja edini kriterij dobrega odločanja)
- Who nudges the nudger? -> Nevarnost manipulacije
- Paternalizem ali welfarizem?

Analogni dregljaji

- Standardizirani (“one size fits all”)
- Težave pri implementaciji: logistično in stroškovno relativno zahtevni
- Učinki težje merljivi
- Omejene možnosti eksperimentiranja



Digitalni dregljaji

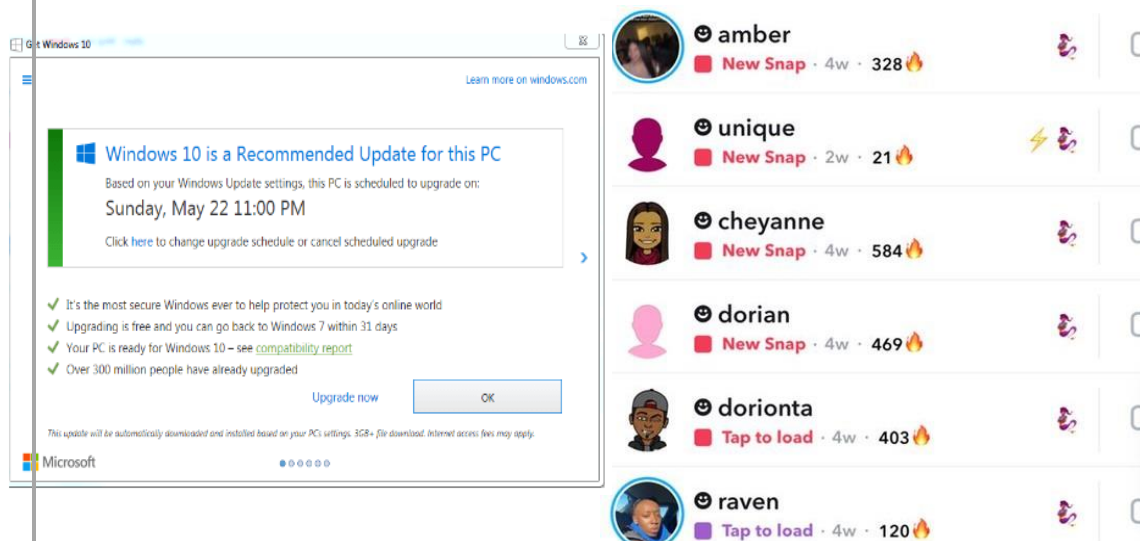
- **Kvalitativno drugačen pojav**
- Delujejo v okolju, ki je:
 - Interaktivno
 - Senzorično obremenjeno
 - Odvrača/ znižuje pozornost
- Možnosti prilagajanja posameznemu uporabniku
- Hitro testiranje, enostavno eksperimentiranje

DIGITALNI DREGLJAJ = namerni poseg v digitalno ali hibridno okolje, zasnovan tako, da predvidljivo vpliva na posameznikovo presojo, izbiro ali vedenje s tem, da izkorišča kognitivne omejitve, pristranosti ter utrjene rutine in navade pri odločanju.

Digitalni dregljaji

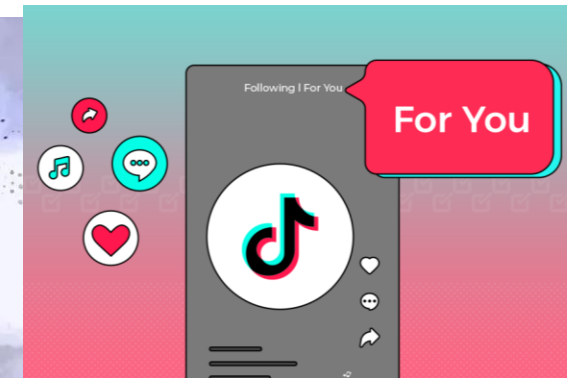
generični

- Neindividualizirani – usmerjeni na “povprečnega uporabnika”
- Izkoriščajo temeljne kognitivne pristranskosti (npr. privzete izbire, okvirjanje ipd.)
- Vendar na drugačen način – hitrejši, razširljiv, interaktiven, plitvejši ...



Personalizirani & adaptivni

- Združevanje vedenjskih znanosti in velikega podatkovja
- Prilagojeni posamezniku ... njegovim navadam, interesom, razpoloženjem
- Bolj učinkoviti, bolj problematični





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Few details about the reviewer



New reviewer with only a few one-sided reviews



Detailed reviewer profile



Established reviewer with two-sided neutral reviews



mb7391

Age
Gender
Member since Apr 2021

2 reviews
5.0 average review score



Kiara

Age: 28
Gender: Female
Member since Feb 2014

These are the greatest headphones ever



These are the greatest headphones ever!!! Super high-quality sound. You can connect without worry to your Bluetooth (including Bose SimpleSync technology). The headphones deliver up to 20 hours of wireless play. you should definitely buy one

0 people found this helpful

Great value headphones with one caveat



These phones sound really nice, for being under \$20. They have much better sound than you might have expected at this price point. Frequency response is good for the price. Clear treble and adequate bass response to let you "feel" the drums and bass guitar. Soprano and contralto vocals sound nice and clear, without that "muddy" sound. The only caveat: the cord is only 3 feet long, not really long enough for home use with a desktop



Exaggerated headline



Short, poorly written review that mentions product details



Few or no helpful votes, not a verified purchase



Balanced review



Descriptive, well-written review with subjective details

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Sale Ends Once The Timer Hits Zero!

Etični ugovori proti digitalnim dregljajem in temnim vzorcem

- Avtonomija
- Svoboda izbire
- Nevarnost manipulacije
- Večnivojska netransparentnost
- “resnične preference” in “resnični interesi”

ŠKODA:

- Posegi v zasebnost
- Posegi v ekonomske interese uporabnikov
- Generiranje odvisnosti
- Kognitivna apatija

Pravna regulacija

- **Pravo varstva zasebnosti**
 - Splošna uredba (2016/679)
 - Kršitve temeljih načel obdelave osebnih podatkov
- **Pravo varstva potrošnikov**
 - Siva cona med prepričevanjem in manipulacijo
 - Direktiva o nepoštenih poslovnih praksah (2005/29/EC): zavajajoče in agresivne poslovne prakse
- **Akt o digitalnih storitvah:** prvi EU akt, ki definira temne vzorce (uvodna opomba 67).
 - Člen 25 od ponudnikov spletnih platform zahteva, da ti »ne zasnujejo, organizirajo ali upravljajo svojih spletnih vmesnikov na način, ki zavaja ali manipulira prejemnike njihove storitve ali kako drugače bistveno izkrivlja ali zmanjšuje zmožnost prejemnikov njihovih storitev, da sprejemajo svobodne in informirane odločitve«
- **Akt o umetni inteligenci**
 - (Art. 5(1)(a)) prepoved *subliminalnih tehnik, ki presegajo zavest osebe, ali so namerno manipulativne ali zavajajoče*