EU consumer policy strategy 2007-2013

2007/2189(INI) - 08/04/2008

The Committee on the Internal Market and Consumer Protection adopted the own initiative report by Lasse **LEHTINEN** (PES, FI), in response to the Commission's Communication on the EU Consumer Policy strategy 2007-2013.

MEPs take the view that **a horizontal approach** to consumer policy is necessary and that it is vital to take the consumer's interest into account in all relevant policy areas in order to ensure that all EU consumers enjoy a high level of protection. They remind the Commission, in this respect, that consumer policy should be present in all policy areas as early as the stage of the impact assessment.

Regarding the review of the consumer acquis on consumer protection, the parliamentary committee recalls its preference for the adoption of **a mixed approach**, i.e. a horizontal instrument with the primary goal of ensuring the coherence of existing legislation and enabling loopholes to be closed by grouping together, in consistent law, cross-sectoral issues common to all directives. Therefore, specific questions should continue to be considered separately in the sectoral directives.

MEPs deplore the weak emphasis on the **law of contract** in consumer protection. They call for the removal of all remaining barriers and obstacles in order to secure consumer confidence in cross-border purchases and contracts, particularly concerning services.

Emphasising the important role played by **consumer organisations** in improving consumer culture, MEPs call on the Commission and the Member States to provide adequate funding for such organisations. They also encourage the Commission to continue to support consumers' rights in relation to **product safety** by ensuring the integrity of the CE marking and improving market surveillance at all appropriate national levels, using the RAPEX (Rapid Alert System for non-food consumer products).

Improved knowledge base: MEPs call for an increased focus on genuine consumer behaviour, while taking into account special needs of vulnerable groups such as children and elderly people and people with certain disabilities. Special focus should also be given to equip consumers with the skills and tools needed to increase their confidence in the digital environment. In this respect, data protection and privacy rules should be included in any consumer strategy.

Noting that financial, banking and insurance markets are particularly open to e-commerce, MEPs urge the Commission and the Member States to ensure more favourable conditions for the development of the cross-border e-purchase. The Commission is called upon to conduct a study on the different mechanisms for solving disagreements between consumers and enterprises used in the Member States, with the aim to identify and promote the use of the effective ones.

MEPs call for measures to improve dialogue at EU level between consumer organisations and industry, to include all actors in the value chain. Furthermore, they underline the fact that the development of a consumer culture is assisted by the systematic education of consumers as regards their rights and the assertion thereof.

Enhanced focus on services: the report highlights the importance of promoting cross-border transactions in order to increase freedom of choice and the role of competition policy and education about responsible consumption. They stress that enhanced liberalisation of the services market in particular is needed to promote competition, thus offering lower prices for consumers.

Special attention is needed to ensure consumer protection and choice in the completion of the internal market for financial services. In this respect, the report stresses that financial, banking and insurance products are extremely complex. MEPs believe that if citizens are to be encouraged to increase their use of those products, especially when dealing with their future pensions, binding policies favouring consumer information and advice should ensure that consumers are aware of all the options available. They stress, however, that consumer protection cannot be an excuse for protectionism.

In relation to financial markets, MEPs recommend strengthening uniform enforcement of existing legislation before proposing additional rules.

Improved access to redress: MEPs take the view that disputes between consumers and economic operators should primarily be settled out of court, which necessitates strengthening the European Consumers Centres and SOLVIT and greater financial resources for their network. The Commission is called upon to explore the merits of establishing a special **European Consumer Ombudsman** in the European Ombudsman's office.

The report recalls that the Community is not competent to prescribe rules for national procedural law. The specific features of national legal systems must as far as possible be taken into account by leaving Member States free to choose between different options having equivalent effect. MEPs highlight that, in a number of Member States, there are constitutional constraints that have to be taken into account when it comes to designing a European model for consumer redress.

The Commission is called upon to carefully assess the issue of consumer redress, bearing in mind the following considerations:

- that any new proposals by the Commission in the area of consumer redress should be based on a thorough examination of existing problems, if any, and the envisaged benefits for consumers;
- that in respect of cross-border proceedings and possible systems of collective redress, extensive research should be carried out into systems of collective redress, drawing on experience around the world, with special regard to the concerns expressed at the excesses and drawbacks of the US model and at the possible lack of a legal base for such an instrument at EU level.