

Amending the Directive on alternative dispute resolution for consumer disputes

2023/0376(COD) - 16/12/2025 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **endorsing** the Council's position at first reading with a view to the adoption of a directive of the European Parliament and of the Council amending Directive 2013/11/EU on alternative dispute resolution for consumer disputes and amending Directives (EU) 2015/2302, (EU) 2019/2161 and (EU) 2020/1828 following the discontinuation of the European Online Dispute Resolution Platform.

The objective of the proposed directive is to adapt the framework applicable to alternative dispute resolution (ADR) to digital markets, to strengthen the use of ADR in cross-border disputes, and to simplify ADR procedures for the benefit of all stakeholders. Furthermore, the proposal aims to streamline reporting requirements and reduce the administrative burden.

The Council's position is as follows:

- extending the **material scope** to include contractual disputes related to the precontractual stage, contracts for the provision of digital content and digital services, and contracts for which the consumer does not pay a price;
- extending the **geographical scope** to include third-country traders;
- introducing new **definitions** and adapting existing ones to reflect the modified scope of the alternative dispute resolution Directive as well as the introduction of a definition of a dispute with a professional from a third country;
- introducing a duty for traders to reply to requests from ADR entities **within a period of 20 working days** to indicate whether or not they agree to participate in an ADR process. In the case of complex disputes or exceptional circumstances this period may be extended to 30 working days;
- introducing an obligation for Member States to put in place **measures to promote the participation of traders and consumers in ADR procedures** with particular attention paid to sectors with low levels of trader participation and high numbers of consumer complaints, such as transport and tourism, in particular in the field of air passenger rights;
- incorporating a new provision whereby consumers must be informed in advance if **automated means** are used in ADR decision-making processes;
- including **unfair commercial practices** and terms among the practices about which ADR entities and the competent authorities must mutually exchange information in the event of multiple consumer complaints. In addition, ADR entities are obliged to make the competent authorities' contact information publicly available;
- including an obligation for the competent authorities to carry out the necessary **checks** to monitor compliance with this Directive;
- setting a transposition deadline for the Directive of **26 months following its entry into force** and an application deadline six months after, i.e. 32 months following entry into force of the Directive.

