Protection of consumers: access to justice and settlement of disputes in the internal market

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"1. The Council reaffirms its concern as regards strengthening consumers' confidence in the functioning of the internal market and their capacity to take full advantage of the opportunities it offers. 2. The Council considers that this concern also encompasses the possibility for consumers to settle disputes in an efficient and expedient manner by way of out-of-court and other comparable procedures, in particular in a transboundary context. It notes that such a possibility already exists in some Member States. The Council notes furthermore that such an approach is without prejudice to the need to ensure consumers' access to justice. 3. The Council takes note of the Commission's intention, as explained in its communication, to implement an action plan in this field. It supports the general concept of pilot projects on a voluntary basis in several Member States. 4. The Council considers, however, that the objective of pilot projects should be to explore and test in more detail the experiences and good practice in Member States and not to seek the eventual harmonization of national systems and practices. 5. The pilot projects should respect and take fully into account the variety of existing national bodies and structures, in compliance with existing national legislation. 6. The criteria that the pilot projects should apply are: - impartiality of the body responsible for handling disputes; - effectiveness of the procedure; - transparency of the procedure. 7. As regards transboundary disputes, the pilot projects should build on the cooperation between existing bodies and structures. 8. The Council notes with interest the Commission's intention to test, on a voluntary basis, for this transboundary cooperation and as a means of simplification of practices, forms which will be used by the consumer. It considers that the use of such forms should take account of experiences which several Member States have already had in this respect. 9. The Council notes the timetable envisaged by the Commission in Annex I of its communication and asks the Commission to report to Council on the result of the pilot projects before 30 June 2000. The Council will examine this report with a view to the appropriate follow-up to be given to the pilot projects."