Out-of-court settlement of consumer disputes (recomm. 98/257/EC), Tampere European council conclusions

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The committee adopted the own-initiative report by Diana WALLIS (ELDR, UK) on Community policy on out-of-court settlement of consumer disputes. It welcomed the Commission's proposal that a European Extra-Judicial Network (EEJ-Net) be set up but stressed that, in the first instance, attempts should be made to solve a dispute directly between the consumer and the trader before resorting to extra-judicial solutions. The Commission was also urged to introduce a best practice charter to help educate and inform consumers. The committee made a number of recommendations to be borne in mind when developing the EEJ-Net. For example, clearing houses must be in a position to give preliminary legal advice and should therefore have access to lawyers with professional liability insurance. A large-scale information campaign was needed to publicise the scheme, possibly involving consumers' associations and chambers of commerce. As well as start-up funding, there was also a need for longer-term funding for the scheme, particularly in those Member States with little experience of alternative extra-judicial systems. It was also important to ensure that the scheme was run coherently, with provision for service-level agreements prescribing the basic level of service which citizens could expect across the EU. Provision should be made for systematic monitoring of the EEJ-Net to check for discrepancies between the Member States and provide feedback. There should also be better coordination between the various departments of the Commission. Another key point raised by the report was the need for multilingual forms and documents to be used by the clearing houses so that consumers could use their own language in settling disputes. Complaint forms should be clear and simple. Lastly, the committee felt that the EEJ-Net should be extended as soon as possible to cover the applicant countries and the EEA States.