## Basic information

| | |
|---|---|
| **2023/0376(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive | Procedure completed |
| Amending the Directive on alternative dispute resolution for consumer disputes<br><br>Amending Directive 2013/11 2011/0373(COD)<br>Amending Directive 2015/2302 2013/0246(COD)<br>Amending Directive 2020/1828 2018/0089(COD)<br>Amending Directive 2019/2161 2018/0090(COD)<br><br>**Subject**<br><br>3.45.05 Business policy, e-commerce, after-sales service, commercial distribution<br>4.50 Tourism<br>4.60.06 Consumers' economic and legal interests | |

## Key players

European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| IMCO Internal Market and Consumer Protection | BALLARÍN CEREZA Laura (S&D) | 13/09/2024 |
| | Shadow rapporteur<br><br>VAIDERE Inese (EPP)<br><br>TUREK Filip (PfE)<br><br>PIPEREA Gheorghe (ECR)<br><br>YON-COURTIN Stéphanie (Renew)<br><br>LANGENSIEPEN Katrin (Greens/EFA)<br><br>GEDIN Hanna (The Left) | |

| Former committee responsible | Former rapporteur | Appointed |
|---|---|---|
| IMCO Internal Market and Consumer Protection | BALLARÍN CEREZA Laura (S&D) | 10/11/2023 |

| Former committee for opinion | Former rapporteur for opinion | Appointed |
|---|---|---|
| TRAN Transport and Tourism | MONTEIRO DE AGUIAR Cláudia (EPP) | 09/11/2023 |
| | | |

| | | | |
|---|---|---|---|
| | JURI Legal Affairs | The committee decided not to give an opinion. | |

| | |
|---|---|
| Council of the European Union | |

| European Commission | Commission DG | Commissioner |
|---|---|---|
| | Justice and Consumers | REYNDERS Didier |

| |
|---|
| European Economic and Social Committee |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 17/10/2023 | Legislative proposal published | COM(2023)0649 | Summary |
| 20/11/2023 | Committee referral announced in Parliament, 1st reading | | |
| 22/02/2024 | Vote in committee, 1st reading | | |
| 26/02/2024 | Committee report tabled for plenary, 1st reading | A9-0060/2024 | Summary |
| 11/03/2024 | Debate in Parliament | | |
| 13/03/2024 | Decision by Parliament, 1st reading | T9-0139/2024 | Summary |
| 13/03/2024 | Results of vote in Parliament | | |
| 13/11/2024 | Resumption of business from the previous parliamentary term | | |
| 28/01/2025 | Committee decision to open interinstitutional negotiations after 1st reading in Parliament | | |
| 10/02/2025 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 73) | | |
| 25/09/2025 | Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations | PE776.994<br>PE779.526 | |
| 20/11/2025 | Council position published | 11778/1/2025 | |
| 27/11/2025 | Committee referral announced in Parliament, 2nd reading | | |
| 04/12/2025 | Vote in committee, 2nd reading | | |
| 05/12/2025 | Committee recommendation tabled for plenary, 2nd reading | A10-0249/2025 | |
| 16/12/2025 | Decision by Parliament, 2nd reading | T10-0318/2025 | Summary |
| 16/12/2025 | Results of vote in Parliament | | |
| 16/12/2025 | Final act signed | | |
| 30/12/2025 | Final act published in Official Journal | | |

## Technical information

| | |
|---|---|
| **Procedure reference** | 2023/0376(COD) |
| **Procedure type** | COD - Ordinary legislative procedure (ex-codecision procedure) |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Directive |
| **Amendments and repeals** | Amending Directive 2013/11 2011/0373(COD)<br>Amending Directive 2015/2302 2013/0246(COD)<br>Amending Directive 2020/1828 2018/0089(COD)<br>Amending Directive 2019/2161 2018/0090(COD) |
| **Legal basis** | Treaty on the Functioning of the European Union TFEU 114 |
| **Other legal basis** | Rules of Procedure EP 165 |
| **Mandatory consultation of other institutions** | European Economic and Social Committee |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | IMCO/10/01327 |

## Documentation gateway

### European Parliament

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE757.840 | 20/12/2023 | |
| Amendments tabled in committee | | PE758.715 | 29/01/2024 | |
| Committee report tabled for plenary, 1st reading/single reading | | A9-0060/2024 | 26/02/2024 | Summary |
| Committee opinion | TRAN | PE758.110 | 28/02/2024 | |
| Text adopted by Parliament, 1st reading/single reading | | T9-0139/2024 | 13/03/2024 | Summary |
| Text agreed during interinstitutional negotiations | | PE776.994 | 17/09/2025 | |
| Committee letter confirming interinstitutional agreement | | PE779.526 | 02/10/2025 | |
| Committee draft report | | PE781.128 | 27/11/2025 | |
| Committee recommendation tabled for plenary, 2nd reading | | A10-0249/2025 | 05/12/2025 | |
| Text adopted by Parliament, 2nd reading | | T10-0318/2025 | 16/12/2025 | Summary |

### Council of the EU

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Council position | 11778/1/2025 | 20/11/2025 | |
| Draft final act | 00061/2025/LEX | 08/12/2025 | |

### European Commission

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2023)0649 | 17/10/2023 | Summary |
| | SEC(2023)0347 | | |

| | | | |
|---|---|---|---|
| Document attached to the procedure | | 17/10/2023 | |
| Document attached to the procedure | SWD(2023)0334 | 17/10/2023 | |
| Document attached to the procedure | SWD(2023)0335 | 17/10/2023 | |
| Document attached to the procedure | SWD(2023)0337 | 17/10/2023 | |
| Commission response to text adopted in plenary | SP(2024)350 | 22/07/2024 | |
| Commission communication on Council's position | COM(2025)0742 | 26/11/2025 | |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| EESC | Economic and Social Committee: opinion, report | CES4939/2023 | 14/02/2024 | |

**Additional information**

| Source | Document | Date |
|---|---|---|
| European Parliament | Briefing | 06/02/2024 |
| European Commission | EUR-Lex | |

## Meetings with interest representatives published in line with the Rules of Procedure

### Rapporteurs, Shadow Rapporteurs and Committee Chairs

**Transparency**

| Name | Role | Committee | Date | Interest representatives |
|---|---|---|---|---|
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 25/06/2025 | DG for EU German Ministry of Justice and Consumer Protection Dr Thiemrodt |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 24/01/2025 | Agència Catalana de Consum |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 09/01/2025 | Permanent Representation of the Federal Republic of Germany to the European Union |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 09/01/2025 | Gesamtverband der Deutschen Versicherungswirtschaft e.V. |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 07/10/2024 | Independent Retail Europe (formerly UGAL - Union of Groups of Independent Retailers of Europe) |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 07/02/2024 | Adigital |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 16/01/2024 | EuroCommerce |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | Ecommerce Europe |

| | | | | |
|---|---|---|---|---|
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | BEUC |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | European Advertising Standards Alliance |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | Business Europe |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | Agencia Catalana de Consum |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | European Consumer Center Sweden |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | facua - consumidores en accion |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | Centro Europeu do Consumidor Portugal |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 05/12/2023 | European Consumer Center Germany |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 04/12/2023 | facua - consumidores en accion |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 28/11/2023 | BEUC |
| BALLARÍN CEREZA Laura | Rapporteur | IMCO | 24/11/2023 | Amazon Europe Core SARL |

**Other Members**

| Transparency | | |
|---|---|---|
| **Name** | **Date** | **Interest representatives** |
| WALSMANN Marion | 04/10/2024 | Ständige Vertretung Deutschlands bei der EU |

| Final act |
|---|
| Directive 2025/2647<br>OJ OJ L 30.12.2025 |

# Amending the Directive on alternative dispute resolution for consumer disputes

2023/0376(COD) - 17/10/2023 - Legislative proposal

PURPOSE: to offer all consumers and professionals better access to high-quality, cost-effective out-of-court dispute resolution adapted to digital markets.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Directive 2013/11/EU of the European Parliament and of the Council on consumer Alternative Dispute Resolution (ADR Directive) gives EU consumers the possibility to resolve their disputes stemming from contractual obligations against traders established in the EU using quality out-of-court procedures.

The Directive, however, was drafted more than 10 years ago and does not cater well for disputes resulting from **new consumer market trends**. Indeed, EU consumers are purchasing much more online including from non-EU traders. This means that consumers need efficient procedures to handle disputes which are becoming more and more complex.

The 2023 Commission evaluation of the implementation of the ADR Directive across the EU concluded that ADR, notably cross-border ADR, is still under-used in many Member States. The scope of the ADR Directive, which is narrowly defined, is not fit to resolve a wide range of disputes that arise, notably in digital markets.

The evaluation conclusions triggered the Commission to reflect on a legislative proposal to amend the current ADR Directive to make it better fit notably for digital markets.

CONTENT: this proposal aims to amend the ADR Directive to make it better fit to modern consumer markets.

*Scope*

The ADR Directive current scope is limited to disputes which stem from contractual obligations for the sale of goods or services.

Through this revision, the Commission is proposing to extend the scope to voluntary ADR processes against any traders selling goods or services, including **digital content and digital services**, to consumers residing in the EU and to disputes related to pre-contractual stages during which consumer rights exist irrespective of whether the consumer ultimately concludes a contract. This, for example, relates to misleading advertising, missing, unclear or misleading information, unfair terms or guarantee rights.

Moreover, the extended scope aims to cover disputes related to other key statutory rights of consumers such as the right not to be subjected to geo-blocking practices, to switch telecommunication providers or to access to basic financial services.

*Definitions*

The Commission proposes to amend the definitions of ‘domestic disputes’ and ‘cross border disputes’ in order to cover all disputes related to key statutory rights of consumers. Moreover, the new definition of a ‘cross-border dispute’ aims to also cover cases where the trader is established outside of the Union.

*Access to ADR entities and ADR procedures*

With the proposed extension of the scope, professionals established outside the EU will also be able to participate (on a voluntary basis) in ADR procedures. Therefore, the Commission proposes to create an obligation for Member States to establish ADR entities which will be competent to deal with such disputes between consumers and **professionals from third countries**.

The proposal:

- refers to the possibility for vulnerable consumers to send and access documents in a non-digital format;

- accentuates the needs of vulnerable consumers to have an easy access to ADR procedures by means of inclusive tools;

- ensures the right for the revision of an automated procedure by a natural person;

- strengthens the possibility already existing in certain Member States for ADR entities to bundle similar cases against one specific trader to save ADR resources and time for the trader and consumers concerned, giving the right to the consumers concerned to object to such bundling;

- introduces the **duty to reply** on traders with the objective to incentivise them to participate more in ADR. Although they are not obliged to participate in ADR, unless specifically provided for in national legislation or EU sector-specific legislation, it is proposed that they are obliged to reply to a request by an ADR entity, within a period not exceeding 20 working days, as to whether they plan to participate in an ADR process against them, or not.

*Information obligations*

The proposal provides for the removal of the obligation on traders to provide consumers with information about ADR entities if they do not intend to take part in a procedure. In order to reduce the administrative burden on ADR entities, the Commission proposes to remove the obligation for ADR entities to inform competent ADR authorities regarding: (a) an assessment of the effectiveness of ADR networks, b ) information on the training provided to staff and c) an assessment of how they intend to improve their performance.

*Consumer assistance*

Relevant bodies, and in particular the **European Consumer Centres (ECCs)**, would be given a new role in assisting consumers in cross-border disputes, while the Commission should put in place user-friendly digital tools to help consumers be signposted to a competent body to resolve their disputes.

# Amending the Directive on alternative dispute resolution for consumer disputes

2023/0376(COD) - 13/03/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 605 votes to 7, with 13 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 2013/11/EU on alternative dispute resolution for consumer disputes, as well as Directives (EU) 2015 /2302, (EU) 2019/2161 and (EU) 2020/1828.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

*Scope*

Members consider that in order to reach its full potential and deliver for consumers, the proposed Directive should require **participation to be mandatory for air carriers** falling under the scope of Regulation (EC) No 261/2004, provided that it does not prevent the parties from exercising their right of access to the judicial system. This is the case, given that several studies have highlighted the high number of consumer complaints in the transport and tourism sector, especially in the field of air passenger rights.

The Directive should apply to out-of-court dispute settlement procedures between consumers residing in the EU and traders offering goods or services, including digital content and services, to those consumers, which involve an ADR entity with a view to facilitating an amicable solution concerning:

(1) contractual obligations stemming from sales contracts, including for the supply of digital content, or service contracts, including pre-contractual and post-contractual obligations and in particular in relation to:

- unfair commercial practices and terms;

- compulsory pre-contractual information;

- passenger and travellers' rights;

- remedies in the event of nonconformity of products and digital content; and

- access to deliveries.

(2) consumer rights applicable to noncontractual situations and provided in Union law concerning:

- non-discrimination on the basis of nationality or place of residence;

- access to services;

- right to switch providers;

- unfair commercial practices provided that the ADR entity is a sectorial coverage entity with the necessary knowledge about unfair commercial practices.

*Access to ADR entities and ADR procedures*

The resolution stressed that Member States may facilitate access by self-employed or micro enterprises to ADR procedures. Member States should ensure that ADR entities:

- maintain an **up-to-date website** which provides the parties with easy access to information concerning the ADR procedure;

- ensure that consumers can submit **complaints** in the Member State in which they reside;

- ensure that parties to the dispute have access to review by a natural person, who is **independent and impartial**.

Member States should ensure that traders established in their territories that are contacted by an ADR entity from their own Member State or from another Member State, inform that ADR entity whether, or not, they accept to participate in the proposed procedure and reply within a reasonable period of time that should not exceed 15 working days. However, an extension to this deadline up to a maximum of 20 working days may be granted in the case of complex disputes or as a result of exceptional circumstances, such as a period of high activity or an external crisis.

*Free of charge*

ADR procedures should preferably be free of charge to the consumer. If charges apply, they should not exceed a nominal fee. In addition, in order to make ADR procedures more accessible and attractive to consumers, such fees should be reimbursable.

*Reasons for refusing to comply with ADR procedures*

ADR entities should provide the competent authorities with a list of traders who systematically and unduly refuse to comply with ADR procedures. In addition, Member States should ensure that, where they do not comply with the outcome of an ADR procedure, traders are required to provide the other parties to the ADR procedure with a written explanation.

*Assistance for consumers*

Consumers and traders engaged in cross-border disputes should use the ADR contact point assigned on the basis of the consumer's place of residence and the ADR entity of the Member State in which he or she is resident.

*Cooperation between ADR entities and national authorities enforcing Union legal acts on consumer protection*

This cooperation should include an obligation for ADR entities to direct consumers to the national authorities whenever they report unfair commercial practices. In addition, it should also, where appropriate, include an obligation on ADR entities to report unfair commercial practices and terms and conditions to those national authorities whenever they become aware of them.

When an unfair commercial practice is brought to the attention of the ADR entity by a consumer, the principle of confidentiality should not apply. If there are credible reasons to suspect that such a practice has occurred, the ADR entity should inform the national competent authority thereof, and, if appropriate, should keep it informed about the outcome of the dispute.

*Competent authorities*

Member States should ensure that their competent authorities have the necessary resources, including sufficient budgetary and other resources, such as a sufficient number of competent personnel, expertise, procedures and other arrangements for the proper performance of their duties. The natural persons working for competent authorities should be impartial and independent from the ADR entities that they supervise.

*Role of the competent authorities and of the Commission*

The competent Authorities should conduct regular checks into the functioning and activities of the ADR entities to monitor compliance with the requirements of this Directive. The Commission should develop and maintain a **user-friendly digital interactive tool** that provides general information on consumer redress, practical information about how consumers can avail themselves of ADR procedures in a cross-border context and links to the webpages of the ADR entities notified to it, directing consumers to a competent body to resolve their disputes.

# 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.

# Amending the Directive on alternative dispute resolution for consumer disputes

2023/0376(COD) - 26/02/2024 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Laura BALLARÍN CEREZA (S&D, ES) on the proposal for a directive of the European Parliament and of the Council amending Directive 2013/11/EU on alternative dispute resolution for consumer disputes, as well as Directives (EU) 2015/2302, (EU) 2019/2161 and (EU) 2020/1828.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

*Scope*

The report stated that in order to reach its full potential and deliver for consumers, the proposed Directive should require participation to be mandatory for air carriers falling under the scope of Regulation (EC) No 261/2004, provided that it does not prevent the parties from exercising their right of access to the judicial system. This is the case, given that several studies have highlighted the high number of consumer complaints in the transport and tourism sector, especially in the field of air passenger rights.

*Access to ADR entities and ADR procedures*

The report stressed that Member States may facilitate access by self-employed or micro enterprises to ADR procedures. Member States should ensure that ADR entities:

- maintain an up-to-date website which provides the parties with easy access to information concerning the ADR procedure;

- ensure that consumers can submit complaints in the Member State in which they reside;

- ensure that parties to the dispute have access to review by a natural person, who is independent and impartial.

Member States should ensure that traders established in their territories that are contacted by an ADR entity from their own Member State or from another Member State, inform that ADR entity whether, or not, they accept to participate in the proposed procedure and reply within a reasonable period of time that should not exceed 15 working days. However, an extension to this deadline up to a maximum of 20 working days may be granted in the case of complex disputes or as a result of exceptional circumstances, such as a period of high activity or an external crisis.

*Assistance for consumers*

Consumers and traders engaged in cross-border disputes should use the ADR contact point assigned on the basis of the consumer’s place of residence and the ADR entity of the Member State in which he or she is resident.

*Cooperation between ADR entities and national authorities enforcing Union legal acts on consumer protection*

This cooperation should include mutual exchange of information on practices in specific business sectors about which consumers have repeatedly lodged complaints. It should also, where appropriate, include an obligation for ADR entities to direct consumers to the national authorities whenever they report unfair commercial practices. In addition, it should also, where appropriate, include an obligation on ADR entities to report unfair commercial practices and terms and conditions to those national authorities whenever they become aware of them.

When an unfair commercial practice is brought to the attention of the ADR entity by a consumer, the principle of confidentiality should not apply. If there are credible reasons to suspect that such a practice has occurred, the ADR entity should inform the national competent authority thereof, and, if appropriate, should keep it informed about the outcome of the dispute.

*Designation of competent authorities*

Each Member State should designate a competent authority which should carry out the relevant functions. Member States should ensure that their competent authorities have the necessary resources, including sufficient budgetary and other resources, such as a sufficient number of competent personnel, expertise, procedures and other arrangements for the proper performance of their duties. The natural persons working for competent authorities should be impartial and independent from the ADR entities that they supervise.

*Role of the competent authorities and of the Commission*

The report stated that the competent Authorities should conduct regular checks into the functioning and activities of the ADR entities to monitor compliance with the requirements of this Directive. The Commission should develop and maintain a user-friendly digital interactive tool that provides general information on consumer redress, practical information about how consumers can avail themselves of ADR procedures in a cross-border context and links to the webpages of the ADR entities notified to it, directing consumers to a competent body to resolve their disputes.