



European Economic and Social Committee

European Consumer Day

Conference on the "Enforcement of consumers' rights"

15 March 2010

Conclusions of workshop 2 on the "Harmonisation of consumer protection in the European Union"

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The Consumer Rights Directive, which has been under discussion for 18 months and has been the subject of much heated debate, was again the main topic of discussion for this panel. The fact that this directive is still being discussed could be helpful; since there is now a new Commission and a new Parliament with a new rapporteur, the outcome would appear to be fairly promising.

Following on from the debate in this workshop, it should be noted that:

- the discussion focused more on harmonisation than consumers' rights in general: a clear appeal was made to focus more on consumers' rights than the system of harmonisation;
- it is fairly clear that full harmonisation is not the answer for everyone. The most worrying aspect as regards full harmonisation is the fact that a number of Member States could lose their already existing consumer rights. So we might reach a stage where we are trying to defend the rights already secured, instead of trying to make further improvements;
- it seems clear that the solution lies somewhere in between, where some areas of the Consumer Rights Directive would be fully harmonised and other areas would be subject to minimum harmonisation. In this way, supervision would be more diversified and some aspects could be resolved faster and more easily by the Member States;
- there was agreement that certain aspects, such as definitions or on-line rights for consumers, should be fully harmonised. In this workshop, it was emphasised that there should be a broader revision of legislation that would affect or be affected in one way or another by the application of new rules on consumer rights.

To conclude, it was clear from the debate during this workshop that "we can have the best possible legislation but, unless consumers know their rights and feel confident about them, the system is useless". Therefore, legislators should focus on the goal of drafting a simple set of common rules. This seems to be more of a long-term ambition and, before getting to that point, this complex issue needs to be the subject of an in-depth debate.

Ultimately, the most important aspect for the consumer is to make sure that this will not prove to be another broken promise. The presence at this event of MEPs Mr Harbour and Mr Schwab provides some positive hope that this may not turn out to be the case. Indeed, we have seen a clear commitment on their part to attempt to secure legislation which will be workable, first and foremost, for the consumer.