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(Resolutions, recommendations, guidelines and opinions)

RESOLUTIONS

COUNCIL

DRAFT COUNCIL RESOLUTION

of 31 May 2007

on the Consumer Policy Strategy of the EU (2007-2013)

(2007/C 162/01)

THE COUNCIL OF THE EUROPEAN UNION

RECALLS that according to Article 153 of the Treaty establishing the European Community:

- a. the Community shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests,
- b. Consumer protection requirements shall be taken into account in defining and implementing other Community policies and activities.

RECOGNISES the important role of consumer policy in shaping the internal market and its synergy with internal market policies. Consumer and business confidence are prerequisites for good functioning of the internal market providing impetus to competition, innovation and economic development. Informed and empowered consumers who have effective rights and confidence in them constitute a driving force for economic success and change.

RECOGNISES the potential of the retail internal market, that still remains largely fragmented along national lines, to deliver benefits for consumers and businesses through removing barriers and thus expanding opportunities to consumers and retailers.

RECOGNISES the opportunities provided by new technologies, especially in the digital environment, and innovation in responding to consumer choice and increasing access to new

markets as well as the challenges in ensuring that consumer rights are adequate, clear, transparent and guaranteed, and mechanisms for sustainable consumption and understanding consumer behaviour are developed further.

UNDERLINES, bearing also in mind the subsidiarity principle laid down in Article 5 of the Treaty establishing the European Community, the importance of Community law in ensuring a high level of consumer protection and the need for effective law enforcement mechanisms, also with regard to cross-border consumer transactions.

AGREES that consumer interests should be incorporated into all fields of European policy. This is a precondition for an effective consumer policy and good basis for the achievement of the Lisbon objectives. The concerns regarding the economic consumer interests and consumer information, in particular, relate to many specialised policies. The inclusion of consumer interests into other policy fields, including for services of general interest, represents a joint task to be performed by all EU institutions and the Member States.

- I. WELCOMES the development of a Commission's Consumer Policy Strategy for the years 2007-2013 ⁽¹⁾ at EU level that focuses on maximising consumer choice and confidence by empowering as well as protecting consumers, promoting jobs and growth and extending competitive markets and aims to achieve a more integrated and more effective retail internal market.

⁽¹⁾ Doc. 7503/07.

- II. CALLS UPON THE COMMISSION to implement this strategy with its three main objectives and, in doing so, especially
1. to continue its consumer policy geared to market transparency and the strengthening of the capacity of the internal market to fulfil consumer expectations. A consumer policy that strives for efficient markets makes a contribution to growth and employment and enhances consumer welfare,
 2. to accord priority to a high level of consumer protection, choice and access within the Community and thus to secure consumer confidence in cross-border purchases or contracts, and to pay particular attention to developing consumer policy and consumer protection measures concerning services,
 3. to assure consistency in the operational objectives towards those underlying the Decision of the European Parliament and of the Council No 1926/2006/EC of 18 December 2006 establishing a programme of Community action in the field of consumer policy (2007-2013) ⁽¹⁾,
 4. to promote and safeguard consumer interests in an increasingly globalised world and to promote them in the context of international relations and through international agreements,
 5. to review the Community acquis in consumer protection with a view to simplification, modernisation, better regulation, removing existing inconsistencies and respecting the requirements of new technologies, with due regard for the subsidiarity principle laid down in Article 5 of the Treaty establishing the European Community; and to put forward, where appropriate and taking into account the outcome of the consultations on the Green paper on the review of the consumer acquis, proposals for a relevant adaptation of the acquis provided that the concerned rights and obligations ensure a high level of consumer protection and improve the functioning of the internal market,
 6. to review where self-regulatory and co-regulation mechanisms might complement existing legislative provisions,
 7. to support comprehensive consumer oriented research, assessing market functioning, consumer expectations and consumer conduct, to establish for the guidance and evaluation of consumer policy consumer-oriented monitoring mechanisms and to develop suitable indicators on the basis of relevant expertise,
 8. to support cooperation between institutions for the enforcement of consumer laws and legislation governing product safety, to promote their network activities, to develop information systems further and to extend international agreements on mutual administrative cooperation between the EU and third countries,
 9. to continuously monitor the efficiency of existing recommendations that contain specific minimum guarantees for alternative dispute settlement procedures and to work towards a wider application and strengthening of the principles regulated there as well as ensure a better cross-linking between the existing alternative dispute resolution mechanisms and to better communicate on existing information tools,
 10. to carefully consider collective redress mechanisms and come forward with the results of the ongoing relevant studies, in view of any possible proposal or action,
 11. to pay particular attention to the required consumer protection, choice and convenience in the completion of the internal market in financial services in the light of the vital importance of decisions on financial products for consumers, e.g. with regard to provision for old age or real estate financing,
 12. to assign more importance to thorough impact assessments across all policies that affect the long-term interests of consumers,
 13. to involve more the relevant consumer policy stakeholders in consultations organised within the framework of other Community policies on proposals with a major effect on consumers.
- III. CALLS UPON THE COMMISSION AND THE MEMBER STATES,
14. to continue to champion better coordination with the concerns and priorities of the individual policy fields and to dovetail their consumer policies more with other specialised policies, notably with the economic, transport, environmental, energy and telecommunications policies,
 15. to work towards effective consumer protection and education in all Member States, thus securing equally active and empowered consumers in the entire internal market, including education on sustainable consumption,
 16. to further strengthen systems for law enforcement in the Member States and cooperation between Member States in the field of consumer protection, while fostering cooperation in the enforcement of consumer protection legislation,
 17. to continue to protect consumer interests with regard to services of general interest and to adequately strengthen consumers in their rights,

⁽¹⁾ OJL 404, 30.12.2006, p. 39.

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18. to take consumer interests into account in standardisation and labelling schemes at European as well as national levels and to work towards safeguarding consumer interests at international level,
 19. to recognise the great importance of effective and representative consumer associations so that they can represent consumer interests independently at Community level and in the Member States,
 20. to provide continued support to the European Consumer Centres Network (ECC-Net) and ensure contact points in all Member States in order to assist consumers in effective cross-border dispute-resolution.
- IV. CALLS UPON THE MEMBER STATES to ensure that the objectives of the Consumer Policy Strategy are also taken into consideration in their national policies.
 - V. CALLS UPON the Commission to:
 - a. regularly consult the Member States in order to evaluate the implementation of the Strategy and, if necessary, to bring modifications or adjustments in a second stage and
 - b. report upon the progress made in consumer policy and, in addition, to present a midterm report on the implementation of the Consumer Policy Strategy by March 2011 and an ex post evaluation report by December 2015.
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