



Consumer Summit 2021 – Workshops discussion papers

Introduction to all workshops

The New Consumer Agenda (hereafter “the Agenda”) aims for enhanced cooperation among all consumer policy stakeholders to ensure a high level of consumer protection in the Union and a level playing field among all businesses serving the Single Market. In addition, boosting confidence on consumer markets will positively impact the post COVID-19 economic recovery.

The Agenda foresees that yearly concrete priorities are discussed at the annual Consumer Summit and the Informal Ministerial Meeting, and then implementation of the selected priorities reviewed at the Summit the year after. The workshops should therefore review the main Agenda’s themes in order to identify three actions on which to focus in the year to come until March 2022. It should set targets for concrete results, identify which partners would agree to be involved and to work together. It could be a new dedicated group or existing groups which exist under Consumer and Safety policies and laws. Each workshop should present two or three proposals for concrete priorities to the final plenary session of the Consumer Summit, where participants will vote to identify the three suggestions with the broadest support, to be transmitted to Ministers for their meeting the next day.

During each workshop, a number of areas described in the New Consumer Agenda will be highlighted with questions to help identify concrete priority activities. Such activities should be feasible within the coming year and realistic targets should be set. A vote will take place to select three of them for presentation to the plenary. Only three minutes per workshop will be available so the propositions must be S.M.A.R.T., i.e. **S**pecific (which precise area, law, economic sector), **M**easurable (with a target), **A**ssignable (who will do it), **R**ealistic (with a target that can be achieved given available resources), **T**ime-related (that can be achieved until March 2022).

List of workshops

- Workshop 1 – COVID-19 pandemic – Addressing the most urgent impacts on the protection of consumers
- Workshop 2 – Greening consumption
- Workshop 3 – Protecting consumers in the digital age – How to speed up the transition
- Workshop 4 – Enforcement of EU Consumer Law and Product Safety – How to develop capacities of authorities and other actors of the enforcement chain

Workshop 3 – Protecting consumers in the digital age – How to speed up the transition

Context

The Agenda aims to ensure that consumers are as safe when they purchase or consult publicity online than in the offline world. This is essential to ensure a successful digital transformation of the EU economy. Unfortunately, too many traders trap, mislead or coerce consumers in online markets to take decisions they may not have taken in a fairer environment. Online platforms have a key role in order to provide the necessary fair and safe environment for their users. But consumers must also play their role and be more cautious thanks to education and information, and a better cooperation among traders and authorities. The following areas are considered of a particular interest or concern:

Consumer reviews

The Market Monitoring Survey 2020 shows that in many economic sectors, consumers consider reviews more important than advertising (e.g. for holiday accommodations 71% of consumers are influenced by reviews and 18% by advertising). Review scores often influence ranking of goods and services, which is another decisive element in consumers' decisions. Reviews must be genuine according to consumer law and the Better Enforcement and Modernisation Directive 2019/2161 introduced specific provisions to strengthen this principle. However, markets are increasingly flooded with fake or manipulated reviews as frequently exposed by consumer organisations.

Effective enforcement

Online market shares are rapidly increasing in consumer overall spending. In 2020, 70% of all consumers purchased online. This trend has been further accelerated by the pandemic. New digital business models continue to appear and pose considerable enforcement challenges to national authorities and courts. In addition, traders from outside the EU are also becoming major players in the Single Market. End December 2020, the Commission proposed the Digital Services Act to clarify the responsibilities of platforms and how they should contribute to better enforcement and more compliance for their own commercial activities but also for their business users. For example, provisions such as 'Know your business customer' and 'Compliance by design' should greatly improve the safety and transparency of online markets, alongside, stepped up enforcement capacities that the Commission will support in making available appropriate e-enforcement tools.

Product safety

While regulatory changes may be needed at EU level, cooperation with businesses and industry associations remain essential. Initiatives such as the **Product Safety Pledge** have shown some progress, but there are still many online marketplaces, mainly small and local companies, that have not committed to the voluntary actions in the Pledge. The Commission and Member States should work together to further promote it with the objective of improving the safety of products sold online in the EU.

Questions to bear in mind when identifying possible priority actions

Consumer reviews

- What can be done to address fake or manipulated **consumer reviews**?
- Consumers often need to be incentivised to provide reviews. How to ensure such reviews are relevant and unbiased? What are the best practices in the domain? How to properly inform consumers on this specific category of reviews?

Effective enforcement

- Enforcement of consumer law should start by a culture of compliance and adequate tools to ensure compliance by design. What are the best practices in the domain? How to improve the level playing field among all online businesses to ensure that compliance is not a competitive disadvantage ?
- What measures already identified in ongoing legal negotiations or proposals are the most efficient to improve online compliance ?

Product safety

- How can the Commission and Member States enhance cooperation with digital companies, for example to further promote the Product Safety Pledge to small and local online marketplaces?