



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 1 – COVID-19 pandemic – Addressing the most urgent impacts on the protection of consumers

Context

The pandemic has affected many areas of consumers' lives. It underlined the critical importance of defending a high level of consumer protection and close cooperation among authorities and interested parties in the EU. The pandemic continues to impact consumers in the following areas:

Travel cancellations

EU consumers rightly expect transport undertakings and tour operators to respect their EU right to a full refund of pre-payments¹. However, consumers have been facing significant problems in enforcing this right due to the liquidity problems of the sector and the almost halt of passenger transport during the pandemic. Contrary to package travel and passenger transport, EU law does not regulate the conditions for and consequences of cancellation of individually booked tourism or leisure services, such as accommodation, car rental or events. Consumers' rights depend on national contract law, including rules on extraordinary circumstances, and the contractual terms and conditions².

Consumer scams, unfair marketing practices and fraud in online shopping

During the pandemic, consumer scams, deceptive marketing techniques and fraud, which are frequent³ in online shopping, have surged. In some Member States, 'watchlists' exist that alert consumers (e.g. <https://www.watchlist-internet.at/>). There were also many rogue traders offering products with false claims about protection against COVID-19 infections⁴.

Financial vulnerability

The financial vulnerability of many EU households has aggravated due to the pandemic, leading to increased consumer over-indebtedness. On average, in past years, one in three EU households was unable to meet an unexpected expense. Since the start of the pandemic, surveys show that financial issues have aggravated with 38% of people stating end 2020 that they were concerned about how they will pay their bills in the next month. Energy poverty in particular is a major challenge for the EU with nearly 34 million Europeans unable to afford to keep their homes adequately warm in 2018⁵.

Questions to bear in mind when identifying possible priority actions

Travel cancellations

- What can be done to ensure that all consumers whose trips have been cancelled because of the pandemic receive due reimbursement of their pre-payments?

¹ As provided for in the Package Travel Directive and in Regulations on passenger rights

² See FAQ on the ECC net website: https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/resolve-your-consumer-complaint/european-consumer-centres-network-ecc-net/faq-cancellations-individually-booked-accommodations-car-rental-and-events-due-covid-19_en

³ 56% of European consumers declared that they were victims of online scams and frauds in a survey conducted in 2019: https://ec.europa.eu/info/sites/info/files/factsheet_fraud_survey.final.pdf

⁴ 215 alerts have been posted in Safety Gate, covering around 24 million articles.

⁵ See Commission Recommendation (EU) 2020/1563 of 14 October 2020 on energy poverty.

- Should additional information be provided to consumers about their rights in the context of ongoing uncertainties in relation to travel restrictions?
- Would the offer of alternative payment models, such as limitation of pre-payments, make consumers more confident to book trips without fearing to lose money in case of cancellation?
- How could consumers be better informed and protected in case of crisis-related cancellations of tourism or leisure services not covered by EU law?

Consumer scams, unfair marketing practices and fraud in online shopping

- How can platforms, internet domain operators and/or payment services providers help address better and faster fraudsters?
- Could there be an interconnection of national watch lists?
- How can market surveillance capacities or tools be strengthened to guarantee a proper control of the increasing flow of goods falsely marketed as “protecting” consumers?
- What are the lessons learned from the pandemic in terms of improved procedures for product safety?

Financial vulnerability

- Should we step up efforts to increase the provision of independent debt advice services to consumers, especially in countries where those services are less (or not) developed?
- Should we promote the development and uptake of green loans targeting especially vulnerable consumers to finance sustainable consumption or more energy efficient renovations and home equipment? Which other actions could help reducing energy poverty?
- What should the EU do to support relief measures offered to borrowers in the context of the COVID-19 crisis?