

# European Commission's call for evidence on the 2014-2020 EU consumer programme

High-level position paper – Executive summary

**August 2023**

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On 22 June 2023, ESBG submitted its response to the European Commission's call for evidence on the 2014-2020 EU consumer programme.

## **The aim of the consultation**

The 2014-2020 consumer programme contributes to protecting health, safety and the legal and economic interests of consumers across the EU. Its actions aim to support consumer protection objectives where they cannot be sufficiently achieved by Member States acting alone due to the cross-border nature of the issues involved. This ex-post evaluation will assess the effectiveness, efficiency, relevance, coherence, and EU-added value of the actions funded under the programme.

## **ESBG position**

ESBG supports the objective of the EU Consumer Programme to strengthen and promote consumer protection in the EU. The aim of the eleven individual actions resulting from the programme was to ensure that consumers have access to accurate information, understand their rights and are protected when they buy or use goods and services in the EU. Educated consumers know their rights and are empowered to enforce them on their own.

However, ESBG sees the need for adjustments in order to establish a modern consumer protection fit for the digital age and matching European values. ESBG drew the Commission's attention to the lack of common understanding of consumers and their need for protection within the EU. A uniform consumer model is absolutely crucial to assess the consumer program and essential for further development of the measures.

In its feedback, ESBG reminded that according to the well-established case law of the Court of Justice of the European Union (CJEU), the average consumer should be defined as "reasonably well-informed and reasonably observant and circumspect". This means that consumers must be able to conclude contracts in a self-determined manner instead of being inundated with information.

In order to establish a modern consumer model, ESBG called the Commission for:

- ✓ consolidation and harmonization of information requirements (taking into account the digital distribution channels);
- ✓ reduction of the mandatory information to the essentials;
- ✓ strengthening of confidence in the consumer that he chooses for him or whether he already feels sufficiently informed or whether he or she needs even more comprehensive information;
- ✓ promotion of financial and digital literacy among consumers.

In addition, ESBG stressed that the scope of the statutory information obligations should reflect the significance of the respective legal transaction for the typical consumer.