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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

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to: Mr Pierre de BOISSIEU, Secretary-General of the Council of the European
Union

Subject: COMMISSION STAFF WORKING DOCUMENT
Evaluation of the Consumer Policy Strategy and Programme of Community
Action:

- Ex-post evaluation of the 2004-2007 Programme of Community Action
- Mid-term evaluation of the 2007-2013 Consumer Policy Strategy
- Mid-term evaluation of the 2007-2013 Programme of Community Action

Delegations will find attached Commission document SEC(2011) 414 final.

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Evaluation of the Consumer Policy Strategy and Programme of Community Action:

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- **Mid-term evaluation of the 2007-2013 Consumer Policy Strategy**
- **Mid-term evaluation of the 2007-2013 Programme of Community Action**

1. INTRODUCTION

The purpose of this Staff Working Document is to present the conclusions of the evaluation of:

- the ex-post evaluation of the 2004-2007 Programme of Community Action;
- the mid-term evaluation of the 2007-2013 Consumer Policy Strategy (hereafter the "Strategy");
- the mid-term evaluation of the 2007-2013 Programme of Community Action (hereafter the "Programme").

The Programme is the financial framework for funding actions necessary to achieve the objectives set by the Strategy.

Legal base for consumer policy in the Treaties

- Article 169 of TFEU stipulates that "the Union shall contribute to protecting health, safety and economic interests of consumers; to promoting consumers right to information, education and the right to organize consumers in order to safeguard their interest".
- Article 12 TFEU stipulates that "Consumer protection requirements shall be taken into account in defining and implementing other Union policies and activities".

Legal base for the Strategy and Programmes and for their respective evaluation

- The Decision No 20/2004/EC of 8 December 2003 of the European Parliament and of the Council adopting a programme of Community action in the field of consumer policy established a programme on consumer policy to be implemented from 1 January 2004 to 31 December 2007.

The ex-post evaluation of the Programme is foreseen under Article 13.

- The Communication from the Commission COM(2007) 99 final to the Council, the European Parliament and the European Economic and Social Committee sets out the EU Consumer Policy Strategy 2007-2013.

The mid-term evaluation of the Strategy is foreseen under Point 6 ("Conclusions").

- The Decision No 1926/2006/EC of 18 December 2006 of the European Parliament and of the Council adopting a programme of Community action in the field of consumer policy established a programme on consumer policy to

be implemented from 1 January 2007 to 31 December 2013.

The mid-term evaluation of the Programme is foreseen under Article 9.

Scope of the evaluation

Given the strong links and synergies between the three evaluations, it was decided to conduct them simultaneously as three pillars of a single evaluation.

The evaluation was carried out between May 2010 and February 2011 by independent experts from a consortium of consultancy companies, Risk & Policy Analysts (RPA) –NERA Rome, selected through a tendering procedure.

The full evaluation report is available online on the DG Sanco Europa website at the following address: http://ec.europa.eu/consumers/strategy/index_en.htm

Besides this general evaluation, separate evaluations are conducted on specific elements of the Consumer Policy Strategy and Programme:

- on the network of European Consumer Centres (ECC-net), the results of which will be published in April 2011;
- on the consumer education, information and capacity building actions, the results of which should be available in July.

2. METHODOLOGY AND EVALUATION ISSUES

Three main sources of data have been used in carrying out these evaluations:

- a literature review,
- collection of numerical data and
- consultations, including discussions with key stakeholders in the European Parliament, Commission services, EU organisations representing the different stakeholder interests, Member State authorities and national consumer organisations. This includes meetings as part of four country case studies.

The criteria used in the evaluations include effectiveness, relevance, efficiency/cost-effectiveness, sustainability, external and internal coherence, synergies, EU added value and overall impacts (expected and unexpected).

There are some intrinsic limitations to the evaluation, in particular the difficulty of isolating the effects of EU consumer policy from the general economic and social context since, for instance, consumer confidence is subject to the influence of many factors; the fact that impact of actions such as consumer

empowerment are very long term; the numerous actors involved; and the fact that some actions are at an early stage of implementation.

3. MAIN FINDINGS

The evaluation stresses the added value of the Strategy and Programmes, despite the fact that European consumer policy is a relatively new field and that the level of EU funding under the Programme is relatively small. It highlights that the actions under the Strategy and Programmes contribute to the Europe 2020 objective of a smart, sustainable and inclusive growth.

- The Programmes and the Strategy have been increasingly successful in the integration of consumer policy into EU policies. The report suggests pursuing efforts in this field and addressing emerging challenges such as issues linked to digitalisation, moving towards more sustainable patterns of consumption and taking into account the vulnerability caused by the crisis. It also shows room for clarification of the role of the various Commission services on consumer issues vis-à-vis stakeholders.
- Consumer market monitoring, through the Consumer Market Scoreboard and in-depth studies has played a key role in supporting consumer policy. It plays an important role in the proper integration of consumer concerns into EU policies and the design of effective legislation. The report also demonstrates the merit of developing the understanding of actual consumer behaviour.
- On product safety, coordination has increased between market surveillance authorities. The report shows the merit of further strengthening surveillance and enforcement through RAPEX, pursuing the efforts aimed at addressing the international dimension of the safety of products and capitalising on the use of new technologies.
- Consumer rights and redress

The report points to the added value linked to the greater level of harmonisation brought by the legislative developments, either finalised or still in the making.

Under the Strategy and Programmes, cross-border enforcement cooperation has been strengthened through the network of enforcement authorities (CPC Network) and coordinated actions such as "sweeps". The report shows the merit of further increasing the coordination of the CPC Network and enforcement authorities.

Consumer access to redress mechanisms remains low. The report also refers to the need to increase consumer awareness about the means of redress.

The Strategy and Programmes have provided increasing support to consumers who seek advice on disputes cross-border through the network of European Consumer Centres (ECC-net). However, the report points to the need of increasing their visibility and hence their awareness among consumers.

- The support provided through the Programmes to EU level and national consumer organisations has been effective. The role of EU level organisations is seen as crucial for ensuring the representation of consumer interests in policy making. The report shows the merit of training (capacity building) provided to national consumer organisations.
- Progress on consumer education has varied, in particular for Dolceta where there is a problem of definition with regard to the target audience. The report notably points to the need of consolidating the education tools, better defining Dolceta's target audience and its content and examining the possibility to identify better synergy with national curricula.

The evaluation makes apparent a certain divergence in appreciation between national authorities and consumer organisations, the former being more positive on the achievements of the Strategy and Programmes.

An overwhelming majority of national authorities believe that the Strategy and Programme are complementary to national consumer policy.

National authorities and consumer organisations both believe that the actions will have a long term effect on consumer protection.

4. NEXT STEPS

The results of this evaluation will feed into the impact assessment for the preparation of the next (post-2013) Consumer Policy Strategy and the Programme of Community Action to be conducted this year.