

**CONTRIBUTION OF THE MOT TO THE
CONSULTATION OF THE COMMITTEE OF
REGIONS ON THE REGULATION PROPOSAL
OF THE EUROPEAN PARLIAMENT AND THE
COUNCIL ON A “CONSUMER” PROGRAMME
FOR THE 2014-2020 PERIOD**

21th February 2012



VIEW ON THE “CONSUMER” PROGRAMME FOR THE 2014-2020 PERIOD

I. INTRODUCTION

In 2012 we celebrate the 20th anniversary of the Internal Market, which, since its creation, has further opened itself to competition, has created new jobs, has helped develop new goods, services and opportunities for businesses, public bodies and citizens, both workers and consumers.

The Transfrontier Operational Mission (MOT) is grateful that the Committee of Regions has launched a consultation on the "Consumer" programme for the 2014-2020 period, succeeding the European action program in the field of consumer policy established for the period 2007 - 2013.

This new "Consumer" programme will serve the overall objective of the future consumer policy that aims to place a strong consumer at the centre of the single market. The EU consumer policy supports and complements national policies to enable citizens of the European Union to fully benefit from the advantages of the single market, while protecting their security and economic interests. The mobilisation of the economic force that represents consumer spending (56% of EU GDP) will greatly contribute to achieving the objective of boosting growth set by the Union.

Therefore, based on its concrete experiences of proximity cross-border cooperation, and echoing the needs expressed by its network, the MOT hopes to contribute to this consultation. This contribution is not intended to directly respond to questions but rather to the discussion.

Presentation of the Transfrontier Operational Mission (MOT):

The Transfrontier Operational Mission, created in 1997, is both an association and a French inter-ministerial structure whose main objective is to facilitate cross-border projects. Its missions are: operational assistance to cross-border project leaders (project development, legal structures, studies, etc.), networking, support to the definition of overall strategies in cross-border cooperation, and leading European projects. The MOT brings together within its network local authorities and their groupings, associations, cross-border structures, large firms, states, etc. involved in cross-border and situated on both sides of the borders. It has 59 members, from 11 European countries.

To this date, the MOT has concentrated its work on cross-border proximity cooperation and the assistance to the definition of policies that have an impact on cross-border territories.

Website: www.espaces-transfrontaliers.eu

II. CONTRIBUTION

We would like to point out a **terminological ambiguity**. The term "**cross-border**" as used refers equally to proximity cooperation between two neighbouring countries, and international cooperation between two countries. In our contribution, we will use "cross-border" to designate a proximity cooperation between two neighbouring countries at the local level.

Occasionally crossing the border of the neighbouring State to consume goods, the citizen(s) of the cross-border areas are experimenting at a local scale the reality of the single market and the free movement of persons. **It is especially in these border territories¹ that the European consumer policy fully makes sense.**

In Europe, consumers living near a border do not hesitate to make their purchases or use services in the neighbouring country where prices may be cheaper or the products / services

¹ A cross-border area is a population catchment area located on both sides of one or more borders, a defined area for projects that is supported by elected officials and that does not aim the administration of this territory, but the definition and implementation of coordinated action programmes to meet the needs of its inhabitants.

may be of better quality. **If they are the first to take advantage of the single market, they still face a number of regulatory obstacles, tax etc.** (for example, extra costs of bank withdrawals, of the purchase and registration of vehicles or of the refund of health care costs, difficulties in case of conflict, inability to obtain mortgages, extra cost of mobile telephony, etc.). To the extent that populations living in border territories are affected primarily by European regulations, and taking into consideration their daily experience of the Internal Market, **they must be fully involved in the smooth functioning and regulation of the Single Market.**

These territories are now playing **the role of European laboratories** to highlight the **successes** but also **failures** that may exist. With respect to consumption and consumer protection, **the measures taken to address the problems faced by border consumers need to be adapted to the local context.**

The revival of growth, and at the same time of consumption, that will contribute to the success of Europe 2020 Strategy, should also be based on the feedback of the territories, especially cross-border, which are the first to be confronted with the persistent obstacles to the Internal Market.

I. INFORMATION, EDUCATION AND CONSUMER AWARENESS THROUGH THE COOPERATION BETWEEN THE COMPETENT AUTHORITIES

Given the lack of transparent, comparable, reliable and consumer-friendly information, particularly with respect to cross-border issues, it is necessary today to improve the education and information provided to consumers to raise awareness on their rights, so that they become responsible citizens, able to benefit from and fully enjoy the range of products and services of the Internal Market.

The deficiencies identified in the defence of consumer rights, particularly in a cross-border context, in situations of litigation, require the further improvement of the way in which the interests of the consumers are taken into account in the policies of the European Union.

The local authorities and services: the right scale to exercise the task of consumer protection in the cross-border territories

Local authorities and local cross-border structures such as Eurodistricts are **the best equipped to effectively take on the duties of general information, awareness-raising and orientation of the consumers**, particularly by publishing bilingual brochures available to people on both sides the border, reflecting the realities of cross-border market. Cross-border structures are indeed intended to meet the challenges and needs of the territories and their inhabitants, not only strategically but also practically.

As such, the EGTC (European Grouping of Territorial Cooperation) is a tool for bringing territories together and linking them to local authorities. The consumer's interest requires the smooth functioning of public procurement. The practices of calls for tenders could be further harmonized, particularly with respect to of cross-border structures and EGTC.

Companies are also consumers of goods and intermediary services, and in this sense, the links between firms are to be taken into account to enhance our European market.

In order to obtain information and solve litigations, the national or European level is too far away from consumers. The steps to be taken seemed too complex to obtain repairs; it is suitable that citizens can refer to an audience closer to them. If the local level is the first reference, a solid communication mechanism must, however, ensure the relay to the national and European bodies.

It is necessary to promote the competences of local authorities in the field of consumption and consumer protection, particularly in a cross-border context, and support the access of local authorities to tools prepared by experts at other levels.

It is necessary to ensure the training of the staff of local authorities and proximity services that has a direct contact with citizens. A first level of internal training on the reality of the cross-border market and cross-border consumption would be helpful. Some training and counselling structures on cross-border issues already have this role, following the example of the Kehl Euro-Institut, which provides a bicultural training to the administrations on both sides of the border.

Finally, **there should also be a promotion of cooperation between local authorities in a cross-border context.**

II. PROMOTING AND STRENGTHENING THE TECHNICAL ASSISTANCE TO CONSUMERS AND LOCAL AUTHORITIES

For the treatment of technical, administrative and legislative issues that are more complex, only a specialized service would be able to respond to the inquiries of the citizens as well as the administration. That is why it is important to **support assistance and specialised counselling structures such as the European Consumer Centre (CEC)**. It is thus necessary to strengthen the means allotted to such organizations which, like the CEC binational Kehl / Strasbourg, are at the heart of the need for information and answers about the exercise and enforcement of consumer rights. Specialised in cross-border complaints and disputes, its expertise gives is the ability to report to the competent institutions the dysfunctions of the internal market specific to a cross-border context.

The experience of a bi-national structure as the European Consumer Centre Strasbourg-Kehl is to be generalised to other borders. We should encourage the creation on each border in Europe, if not of national contact points grouped in a place on the border, than of binational antennas, accessible in priority to citizens living at the border.

The networking of these info-consulting points is then essential.

QUESTIONS ASKED

CONSULTATION OF THE COMMITTEE OF REGIONS ON THE PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A "CONSUMER" PROGRAMME FOR THE PERIOD 2014-2020

1. In what specific areas the Committee of the Regions consider as essential the cooperation of local authorities in the field consumer protection? What kind of tasks should be defined to strengthen the role of local authorities in consumer protection?
2. At what level the task of consumer protection should it be exercised: at the local level, at the provincial level, at the regional level?
3. Do local authorities maintain in their respective States close ties with organizations of consumer protection and the bodies of conciliation?
4. After an examination, does the regulation proposal provide an adequate opportunity for local and regional authorities to participate actively in the "Consumer" programme?
5. Do the organising bodies of local and regional authorities need the implementation across the European Union of a uniform curriculum in terms of consumer protection?
6. What role can the regional university centres play in developing a scientific basis for policies on consumer protection?
7. What are the experiences of members of the Committee of the Regions regarding the training of agents in their own local authority and the exchanging of best practices and expertise in the field of consumer protection?