



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET

Edvard Kožušník
Member of the European Parliament

Regarding consumer protection, the European Union in the past had and unfortunately still has the tendency to prefer the official regulatory procedures to application of the market mechanisms. This approach is based on historical development of the Union and on different cultures in individual member states. In the regulations and directives the Union emphasises in particular the right on information about the product or health protection and safety. Adherence to these regulations is then enforced by the state inspection institutions instead the fact that it should follow from combined actions of the Government, self-regulatory tools and market mechanisms. The consumers are also missing mighty legal instruments through which they could call for their rights by themselves and effectively.

As already shown, this situation arises from specificity of the Union. Some ten years ago such system of consumer protection could work. But nowadays, in the period of electronic business expansion, the approach applied to consumer protection till now seems to be ineffective in many aspects, which fact is supported by the latest surveys presented by the Commission. Though internet is nowadays the retail channel developing most quickly and the number of internet buyers rises annually, the number of transactions realized between individual member states unfortunately stagnates. We could nearly say that in the B2C (business to consumer) sector the internal Union market is non-existing. It is affected by a number of factors. Besides the standard problems like language dissimilarities, we can speak about issues with application of different exceptions in individual states application of VAT, about dissimilarities in copyrights, differences in post services and last, but not least the problems with right enforcement.

The result is that up to 60% of cross-border orders within the Union are rejected by the businessman himself beforehand, though nearly one half of the products can be purchased through the cross-border order only. It means that in the member state where the consumer has its domicile such products are unavailable.

According to the latest draft directive focused on the customer rights the Commission seems to begin to consider seriousness of the situation. Introduction of the principle of full



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
PARLEMENT EUROPÉEN PARLAIMINT NA HEORPA PARLAMENTO EUROPEO EIROPAS PARLAMENTS
EUROPOS PARLAMENTAS EURÓPAI PARLAMENT IL-PARLAMENT EWROPEW EUROPEES PARLEMENT
PARLAMENT EUROPEJSKI PARLAMENTO EUROPEU PARLAMENTUL EUROPEAN
EURÓPSKY PARLAMENT EVROPSKI PARLAMENT EUROOPAN PARLAMENTTI EUROPAPARLAMENTET

Edvard Kožušník

Member of the European Parliament

harmonization and elimination of national exceptions is one of the steps which can remove certain barriers in the cross-border e-business. For purpose of positive impact of the full harmonization and for creation of a single European E2C market the latter must not be over-regulated and a creation of a certain quasi-market must avoided, because the businessmen would prefer not to enter it due to its complexity. The complete harmonization may thus not result in adoption of the most severe rules for the whole Union, valid in one of the member states. On the contrary. The full harmonization must lead to adoption of the mildest rules applicable within the Union, because the liberal, good functioning internal market has to be the objective. If we end by incorporating national exceptions, based on a higher consumer protection, into the all-European rules, we will hardly come to increase of competition and to a good working internal market.

The internal e-business market is a great appeal profitable for everybody. Both the businessmen with new opportunities and the consumers who the higher competition can bring lower prices, greater variety of products or easier application of the consumer rights to. And last, but not least the competition can lead to better culture of sale and a better standard for the customers.