

BEUC statement on JURI committee CESL vote

17 September 2013

MEPs take a bad decision for European consumers

This morning the European Parliament's Legal Affairs Committee voted in favor of the Common European Sales Law (CESL). This European 'optional law' is to govern cross-border 'distance selling' purchases (i.e. mostly online buys). For Europe's consumers, it has reductive consequences:

The law is proposed as 'optional'. This is a completely novel approach to market regulation which allows businesses to choose between national laws or CESL. That will lead to more complexity for consumers, increased legal uncertainty, duplication of existing EU consumer law (particularly for online transactions), circumvention of national regulation and the risk of reduced protection.

Ursula Pachl, Deputy Director General of The European Consumer Organisation commented:

"Affording European traders the leeway to decide which laws can bind them and protect consumers is an inappropriate means of consumer policy making. 'Optional regulation' is something of a contradiction in terms and will result in greater confusion for both consumers and traders. Increased regulatory costs for business due to the different layers of law will be another consequence. E-commerce traders and consumers are both opposed to this new instrument (Read joint letter [here](#)).

"What European citizens and consumers need are modern laws providing reliable and clear protection when shopping online. All consumers need strong and clear rights, not only those who have been "opted in" by the businesses they are dealing with. We cannot wait another 10 years for non-optional law to take its place.

"MEPs need to be aware that today's vote puts business firmly in the driving seat and reduces important consumer rights in a number of EU Member States, from UK to Greece, from Finland to the Netherlands and many more.

"The vote today cannot hide that the European Parliament is deeply divided on this dossier. It was only in July that the Internal Market and Consumer Protection Committee voted for a substantial changes to the entire instrument, namely to turn it into a traditional Directive. Unfortunately the lead committee has dug in its heels, objected and pushed for quick adoption. We hope that MEPs and national governments will stand firm in ensuring just before the Parliamentary elections that the thus far successful history of EU consumer legislation is not devalued. Important national rights should not be undermined".

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