Recommendation 624 (1971)[1]

Legal protection of consumers

Parliamentary Assembly

The Assembly,

1. Considering that the consumer is often unable to judge correctly what is offered to him ;

2. Considering that unimpeded and fair commercial competition is an important factor in consumer protection, and that legislation in this field, e.g. against misleading advertising, taking into account the consumer's point of view, should be welcomed in countries where it does not exist ;

3. Considering that consumer protection requires more specific measures in addition to the general measures mentioned above ;

4. Considering that measures to protect consumers should take due account of the legitimate interests of industry ;

5. Welcoming the general and specific measures which several national legislatures have taken already, or are taking, to improve the legal protection of consumers ;

6. Holding the view that, as a consequence of considerable travelling abroad and more and more commercial exchanges among member States, the legal protection of consumers calls for a European approach ;

7. Considering that a European approach is desirable, among others, in such fields as hire purchase, general contract conditions, mail order and door-to-door selling, labelling and standard sizes of goods, misleading advertising, unfair competition, and settlement of minor claims and disputes ;

8. Considering that a European approach to the legal protection of consumers would not only serve the interests of consumers, but also those of producers and sales organisations, and of European integration ;

9. Referring to Resolution No. 2 on legal protection of consumers, adopted by the 6th Conference of European Ministers of Justice ;

10. Welcoming the work already being undertaken in the Council of Europe with regard to misleading advertising, consumer education and liability of producers ;

11. Taking note of the recent proposal of the CCJ to the Committee of Ministers to create a sub-committee for the purpose of preparing proposals as to the aspects of the problem of legal protection of consumers which the CCJ might usefully deal with ;

12. Believing, however, that Council of Europe action in the field of consumer protection should be further extended,

1. Assembly debate on 21 January 1971 (22nd Sitting) (seeDoc. 2902, report of the Legal Affairs Commitee andDoc. 2905, opinion of the Committee on Economic Affairs and Development). Text adopted by the Assembly on 21 January 1971 (22nd Sitting).

13. Recommends that the Committee of Ministers :

a. instruct the European Committee on Legal Co-operation (CCJ) to make a full and comparative study of the legal protection of consumers in member States of the Council of Europe, with a view to arriving at common measures and standards in this field ;

b. take steps to broaden the present Council of Europe action in the economic sector to include the early detection and full socio-economic analysis of consumer problems with recommendations on the appropriate remedies, in particular, as regards cases where a legal remedy is not available or not practicable.