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**Consumer Conditions Scoreboard 2017 edition:
Consumers at home in the Single Market**

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1.1. Compliance and enforcement

The second component of the Scoreboard examines compliance and enforcement from the perspective of consumers and retailers.

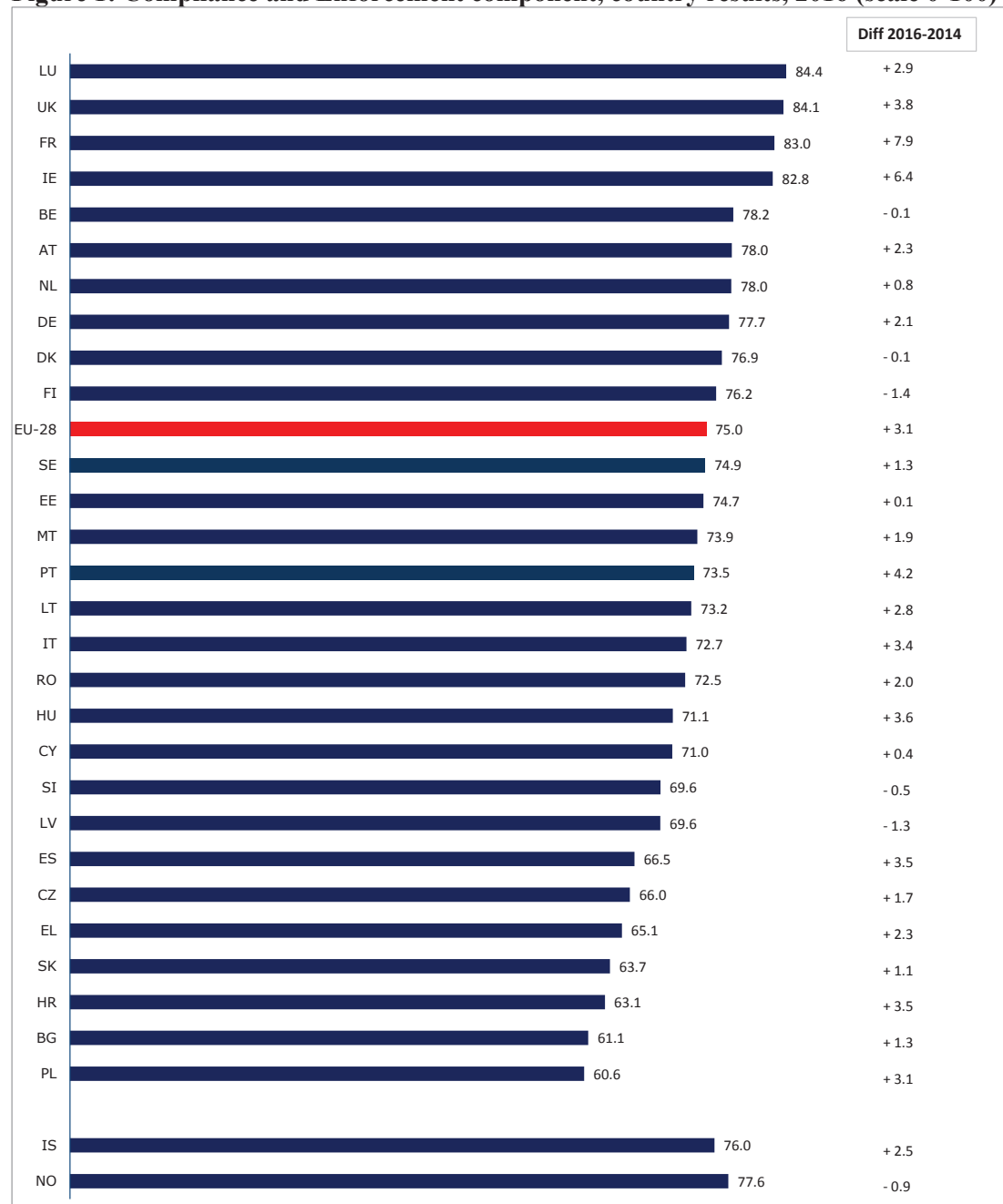
It assesses the extent of compliance with consumer regulations and their enforcement — through consumers' and/or retailers' experiences with illicit commercial practices —, perceived ease and cost of compliance with consumer regulations, and the role of different organisations in monitoring compliance.

Compliance with and enforcement of consumer rules are improving

At EU-28 level, the overall score for the Compliance and Enforcement component reaches 75.0 in 2016, an increase of 3.1 points compared with 2014. Looking at country results, the highest values are observed in Luxembourg (84.4), the United Kingdom (84.1), France (83.0), Ireland (82.8) and Belgium (78.2). The countries with the lowest scores are Poland (60.6), Bulgaria (61.1), Croatia (63.1), Slovakia (63.7) and Greece (65.1).

France shows the highest increase (+7.9), followed by Ireland (+6.4), Portugal (+4.2), the United Kingdom (+3.8) and Hungary (+3.6). Only five Member States perform worse than in 2014: Finland (-1.4), Latvia (-1.3), Slovenia (-0.5), Denmark (-0.2) and Belgium (-0.1). Outside the EU Norway's score (-0.9) also fell.

Figure 1: Compliance and Enforcement component, country results, 2016 (scale 0-100)



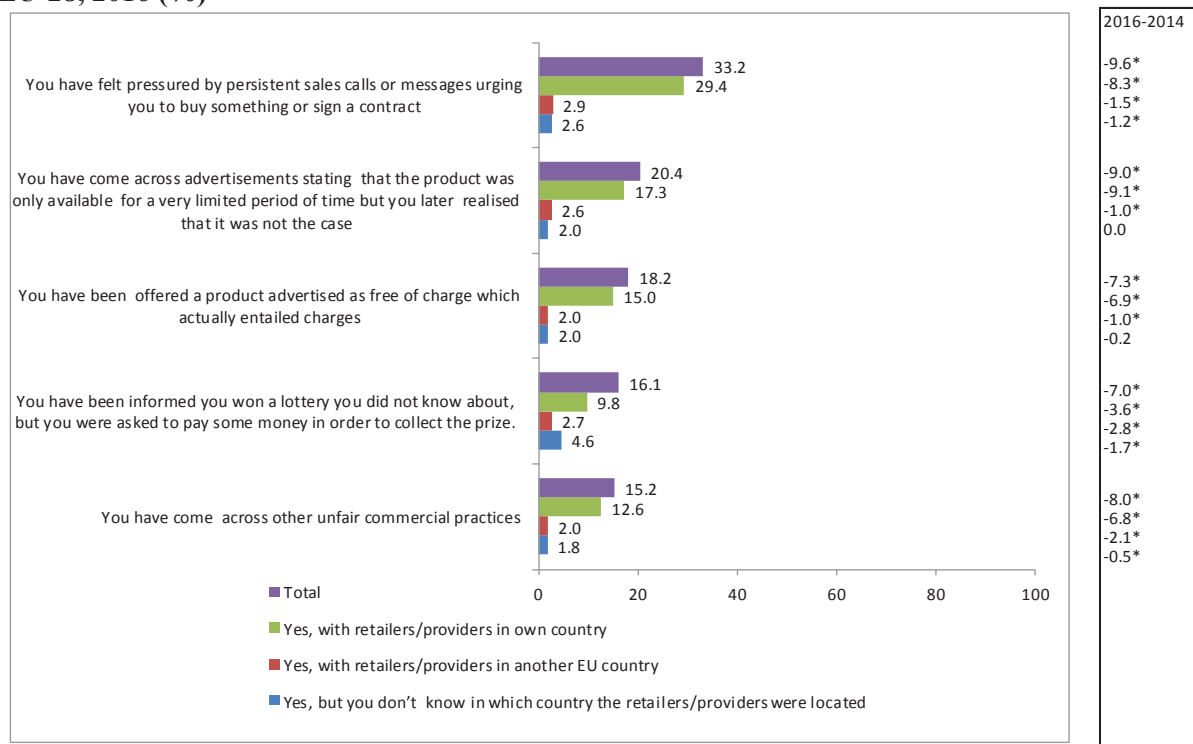
Source: Surveys on consumer and retailer attitudes towards cross-border trade and consumer protection.

1.1.1. Unfair commercial practices

Fewer consumers encounter unfair commercial practices, but vulnerable consumers are more susceptible

To assess the prevalence of unfair commercial practices, consumers and retailers are both asked if they had encountered in the previous 12 months a set of unfair commercial practices banned under the Unfair Commercial Practices Directive¹.

Figure 2: Consumer experiences of unfair commercial practices domestically and cross-border, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: I will read you some statements about unfair commercial practices. After each one, please tell me whether you have experienced it during the last 12 months ...? base: all respondents (N=26 599).

Between 2014 and 2016 consumer exposure to unfair commercial practices of domestic retailers fell by 6.9 percentage points in the EU-28 to 16.8 %. This fall was observed across the five commercial practices covered in the survey. The level of exposure is lower in EU-15 countries (14.1 %), but much higher in EU-13 (27.2 %).

As in 2014, consumers are most likely to say they have felt pressured by persistent sales calls or messages urging them to buy something or sign a contract (33.2 %). One in five consumers (20.4 %) came across advertising claiming that a product was available for a limited time only but later realised this was not the case. 18.2 % of respondents encountered ‘false free offers’, where consumers are offered a product for free that actually entails charges. 16.1 % of consumers say they were informed they had won a lottery they had not entered, but were

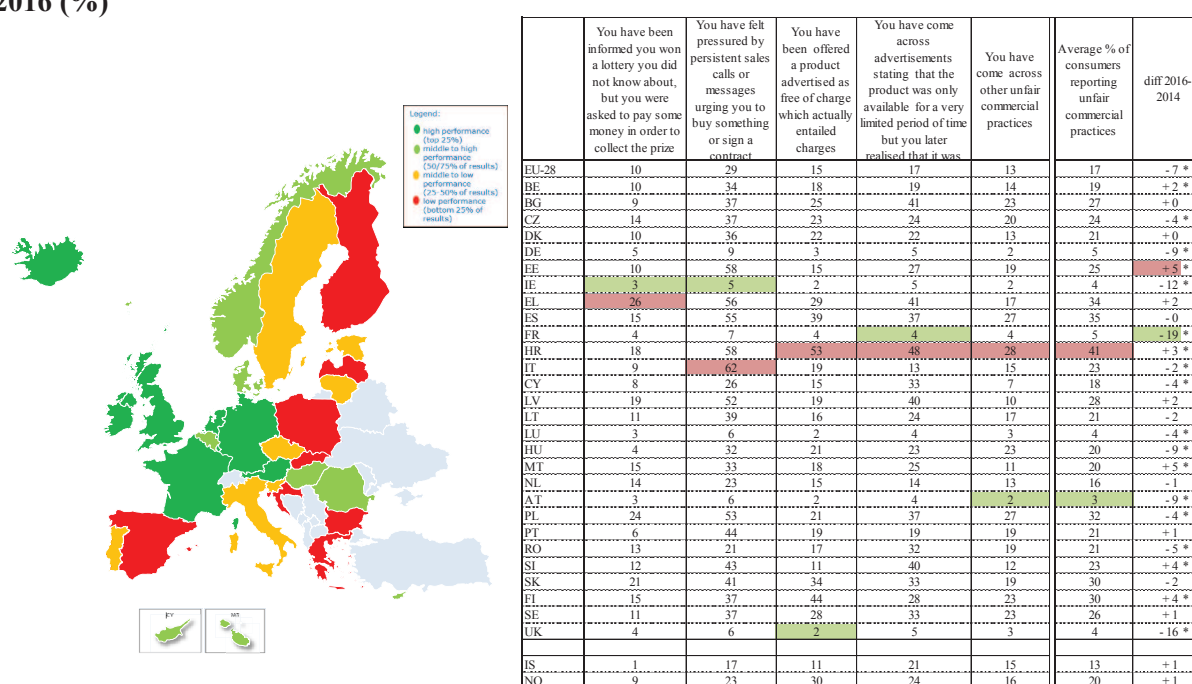
¹ Directive 2005/29/EC; OJ L149 dated 11.6.2005

asked to pay to collect the prize. 15.2 % of consumers report ‘other unfair commercial practices’. All these practices are mainly experienced with domestic retailers.

Although the prevalence of commercial practices appears to be falling, it is mainly those consumers who perceive themselves as vulnerable because of their socio-demographic status and the complexity of offers that report having encountered unfair commercial practices. At the same time, consumers with better language skills and those who are regular internet users are also more likely to report having experienced unfair commercial practices, though this may reflect increased awareness owing to more frequent shopping.

By country, the highest exposure to unfair commercial practices by domestic retailers is reported in Croatia (40.9 %), Spain (34.5 %) and Greece (33.7 %), while few consumers in Austria (3.4 %), Ireland (3.7 %) and Luxembourg (3.8 %) experience such practices.

Figure 3: Consumer experiences of unfair commercial practices domestically, country results, 2016 (%)



Source: Surveys on consumer attitudes towards cross-border trade and consumer protection: I will read you some statements about unfair commercial practices. After each one, please tell me whether you have experienced it during the last 12 months... base: all respondents (N=26 599).

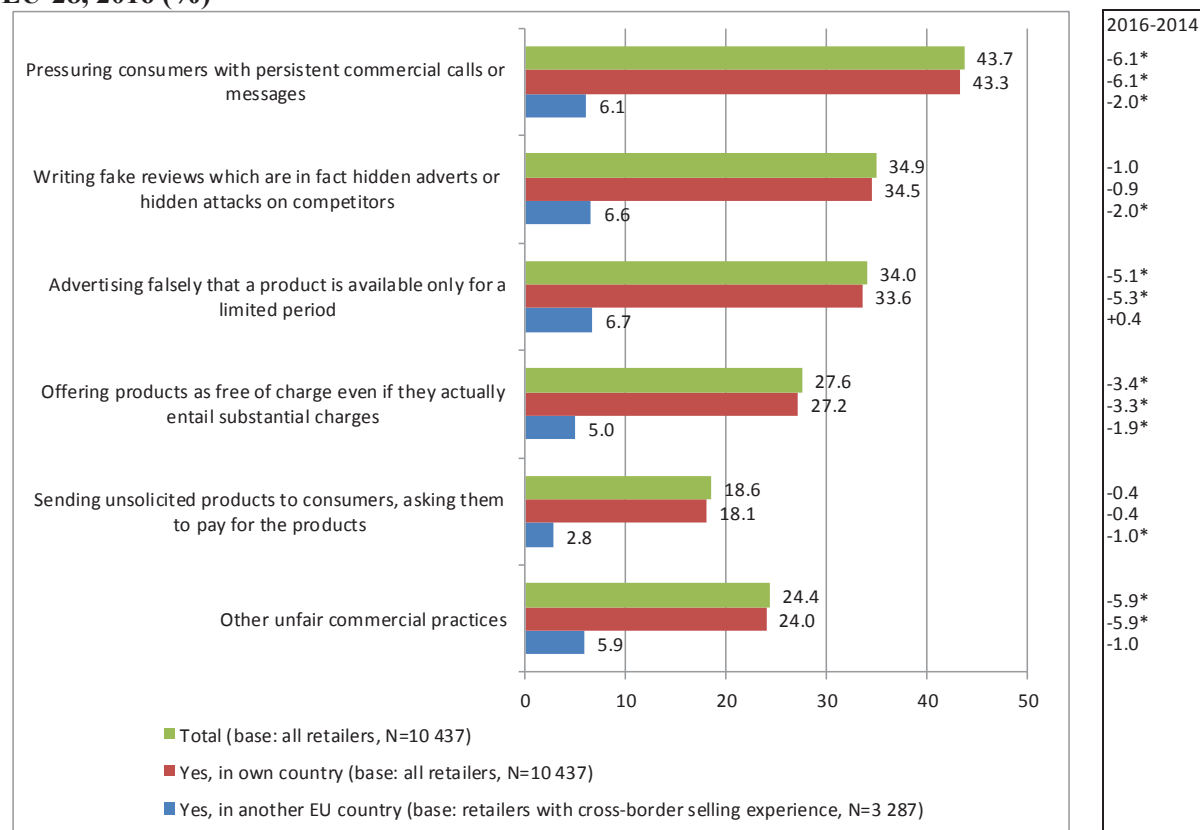
Retailers also report encountering fewer unfair commercial practices

In general, the experiences of businesses tend to mirror those of consumers but the percentages tend to be higher.

Of all the unfair commercial practices in the survey, retailers were most likely to have come across competitors in their country pressuring consumers with persistent commercial calls or messages (43.3 %). A third reported competitors writing fake reviews that were in fact hidden adverts or hidden attacks on competitors (34.5 %). A similar proportion (33.6 %) report that domestic competitors have falsely claimed that a product is available for only a limited period of time. Just over a quarter of retailers (27.2 %) indicate that domestic competitors had said products were free of charge even though there were substantial charges. Almost one in five

retailers (18.1 %) mentions that competitors in their country sent unsolicited products in the past year to consumers, asking them to pay for products. Just under a quarter (24.0 %) report other unfair commercial practices by competitors. Overall, the findings are better than those reported in 2014 (30.1 %, a decrease of 3.6 points on average)².

Figure 4: Retailer experiences of unfair commercial practices domestically and cross-border, EU-28, 2016 (%)



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: Please tell me if you have come across any of the following unfair commercial practices by your competitors in the last 12 months...?

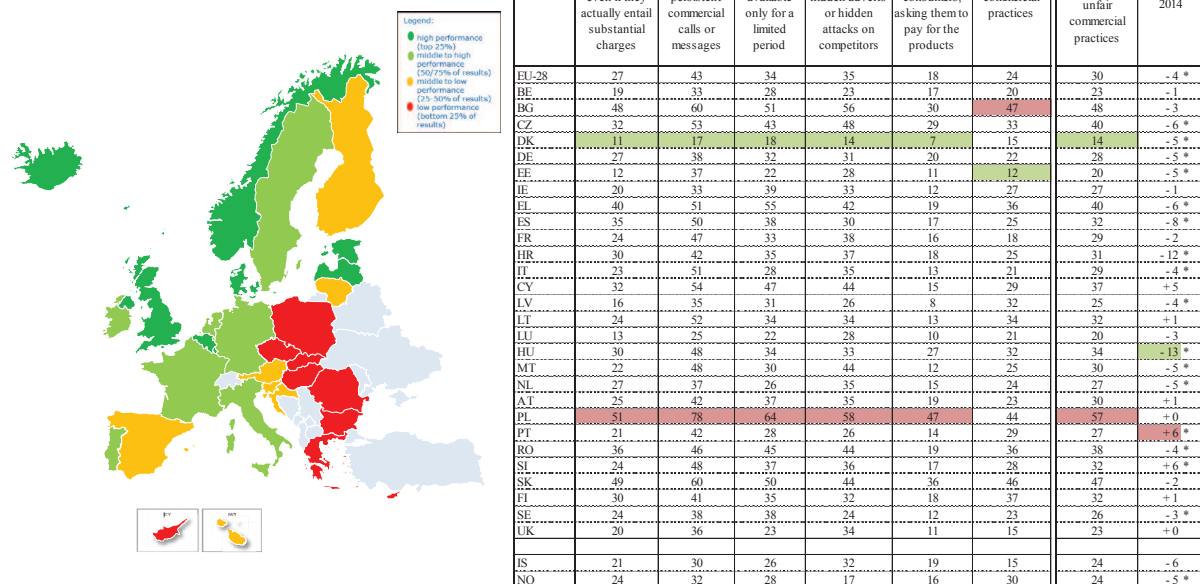
Retailers established in EU-15 countries are less likely to have come across unfair commercial practices by domestic competitors than those from EU-13 countries. A higher incidence is reported by retailers in the eastern (42.2 %) and southern countries (31.1 %).

The highest incidence of unfair commercial practices by national competitors is reported by retailers in Poland (57.1 %), Bulgaria (48.4 %) and Slovakia (47.4 %). Retailers in Denmark (13.5 %), Luxembourg (19.9 %) and Estonia (20.2 %) appear to come across far fewer unfair commercial practices by competitors in their sector.

Companies selling only in their own country are more likely to come across these practices as do small companies (10 to 49 employees).

² This is a composite indicator measuring the average of the answers given to a list of six items, i.e. five specified unfair commercial practices and an additional category, 'other unfair commercial practice'

Figure 5: Retailer experiences of unfair commercial practices domestically, country results, 2016 (%)



Source: survey on retailer attitudes towards cross-border trade and consumer protection: Please tell me if you have come across any of the following unfair commercial practices by your competitors in the last 12 months...? base: all retailers (N=10 437)

1.1.2. Other illicit commercial practices

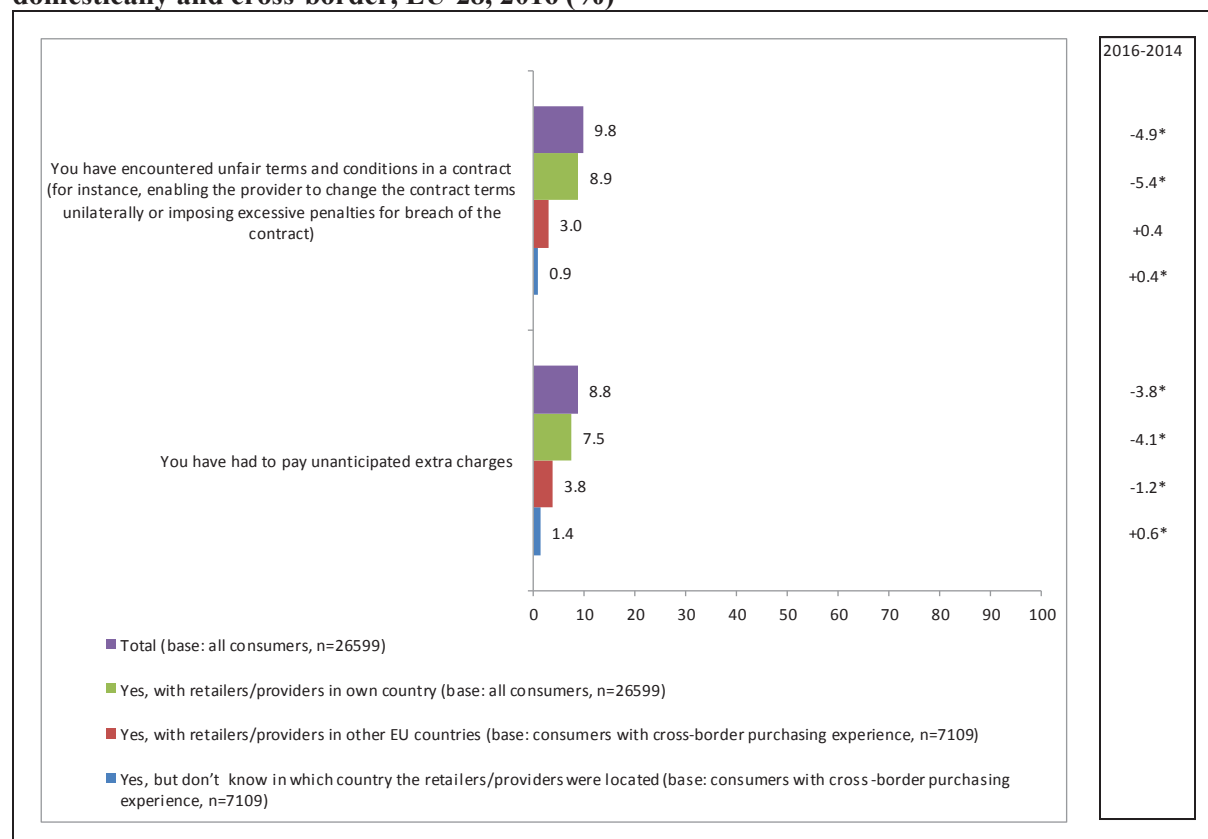
Vulnerable consumers and those in EU-13 countries more likely to experience illicit practices

Consumers were also asked about their experiences of other illicit commercial practices banned under EU legislation, such as unfair contractual clauses that enable providers to change contractual terms unilaterally without a valid reason which is specified in the contract or impose excessive penalties if the contract is breached.

Overall, 9.8 % of consumers report having encountered unfair contract terms in the previous 12 months, an improvement on 2014. It should be noted however, that the percentage is twice as high in EU-13 countries (16.0 %) as it is in EU-15 countries (8.1 %).

Similarly, fewer consumers were asked in the previous 12 months to pay additional charges that they had not been told about in advance (a decrease of 3.8 percentage points to 8.8 % of consumers). Again, the rate is higher in EU-13 countries (12.7 %) than in EU-15 countries (7.7 %).

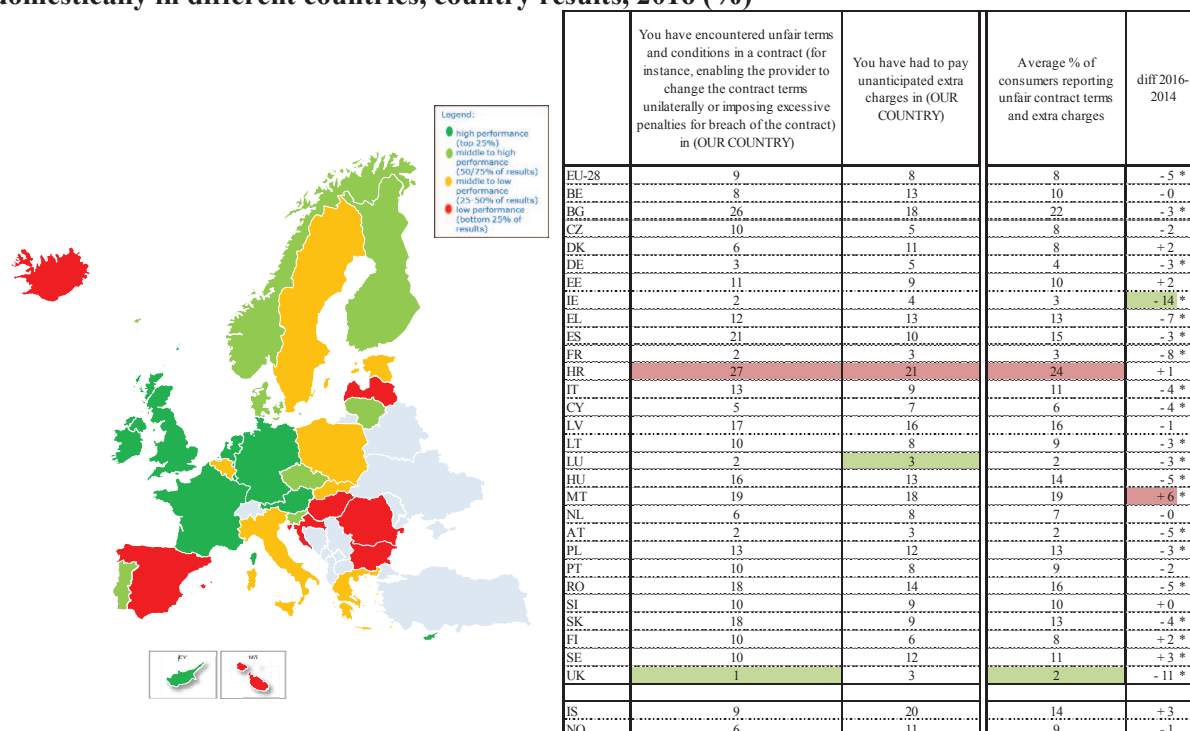
Figure 6: Consumer experiences of unfair contractual terms and unanticipated charges domestically and cross-border, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: I will read you some statements about problems consumers may have more generally when shopping. Please tell me whether you have experienced any of them during the last 12 months ...? base: as indicated in the graph.

Comparing results across countries, consumers' exposure to other illicit commercial practices is highest in Croatia (23.9 %), Bulgaria (21.9 %), and Malta (18.6 %) and lowest in the United Kingdom (2.0 %), Austria (2.4 %) and Luxembourg (2.2 %). Compared with 2014 the highest increase in the reported incidence of illicit practices is in Malta (+6.2) while the situation improved most in Ireland (-13.8).

Figure 7: Consumer experiences of unfair contractual terms and unanticipated charges domestically in different countries, country results, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: I will read you some statements about problems consumers may have more generally when shopping. Please tell me whether you have experienced any of them during the last 12 months ...? base: all respondents (N=10 437).

As in the case of unfair commercial practices, consumers who perceive themselves as vulnerable because of their socio-demographic status or because of the complexity of offers are more likely to come across the illicit commercial practices included in the survey. This also applies to consumers with better language skills and to those who report experiencing financial difficulties.

1.1.3. Compliance with consumer legislation

Retailers find it more difficult to comply with consumer legislation in other EU countries.

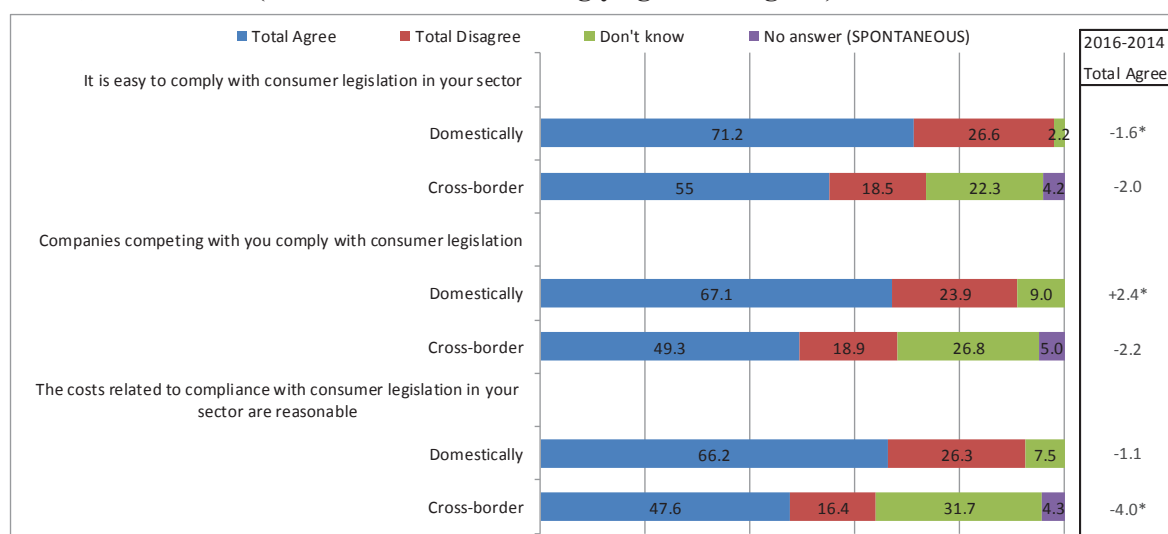
Compliance with consumer legislation is influenced by various factors, including the perceived compliance of competitors. The survey carried out for the Scoreboard asks retailers about the ease and costs of compliance and the extent to which competitors comply with consumer laws.

Retailers tend to agree that it is easy to comply with consumer legislation in their sector **in their own country** (71.2 %) even though this rate has fallen slightly since 2014 (-1.6). Moreover, two thirds of retailers (66.2 %, no statistically significant difference compared with 2014) say the costs of compliance with consumer legislation in their sector are reasonable. Finally over two thirds (67.1 %) consider that competitors in their country comply with consumer legislation, an improvement on 2014 (+2.4).

The proportion of positive assessments is significantly lower when it comes to complying with consumer legislation **in other EU countries** (55 %), the related costs (49.3 %), and

competitors' compliance (47.6 %). It is worth noting, that just under one in five retailers selling in other EU countries was unable to answer each question.

Figure 8: Retailer perceptions of compliance with consumer legislation domestically and cross-border, EU-28, 2016 (% of retailers who 'strongly agree' or 'agree')

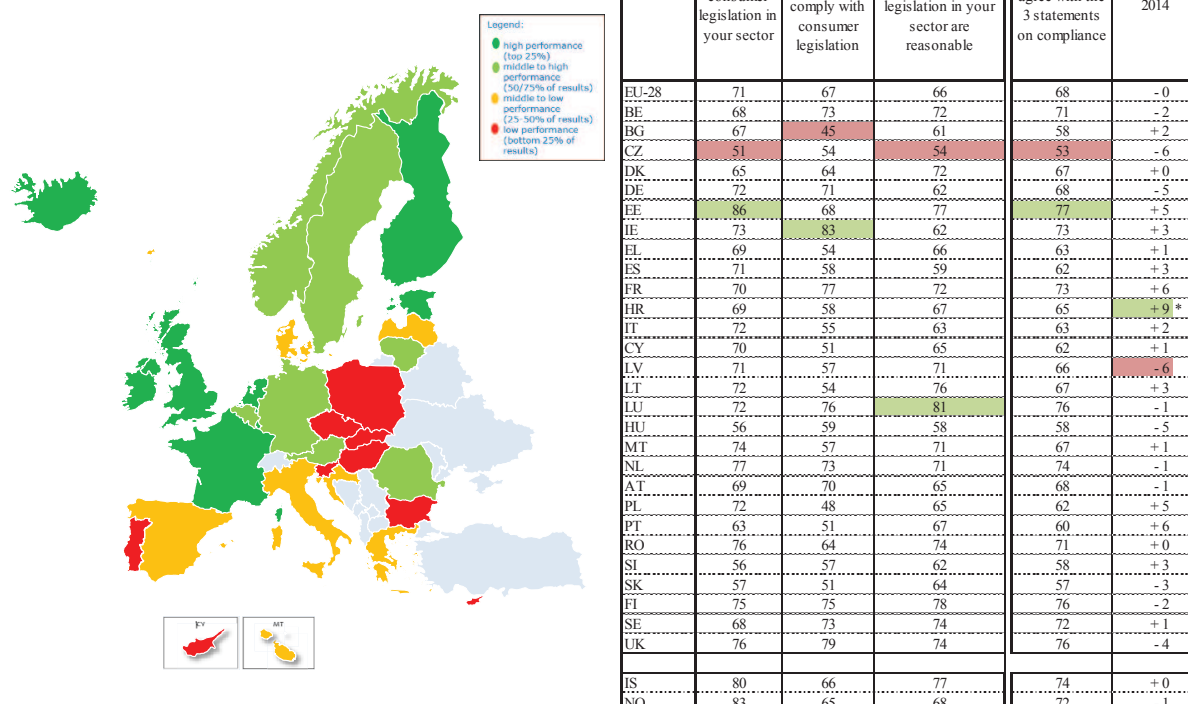


Source: Survey on retailer attitudes towards cross-border trade and consumer protection: I will read you three statements about compliance with consumer legislation in [your country/other EU countries]. Please tell me whether you strongly agree, agree, disagree or strongly disagree with each of them... Domestically base: all retailers (N=10 988). Cross-border base: retailers who sell in another EU country (N=3 287).

Looking at the country results, there is wide variation between the overall assessment of compliance (measured as the average rate of agreement with the three statements) in the top-performing countries — Estonia (76.9 %), the United Kingdom (76.3 %) and Luxembourg (76.1 %) — and the countries with the lowest scores: the Czech Republic (52.9 %), Slovakia (57.4 %), Bulgaria and Hungary (57.6 %).

Despite these country differences, the majority of retailers in all countries agree that compliance with domestic consumer rules is easy and that compliance costs are reasonable. The same applies to competitors' compliance, except in Bulgaria and Poland, where less than half of retailers believe that their domestic competitors comply with consumer rules (44.5 % and 48.4 % respectively).

Figure 9: Retailer perceptions of compliance with consumer legislation domestically, country results, 2016 (% of retailers who ‘strongly agree’ or ‘agree’)



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: I will read you three statements about compliance with consumer legislation in [your country/other EU countries]. Please tell me whether you strongly agree, agree, disagree or strongly disagree with each of them... base: all retailers (n=10,988)

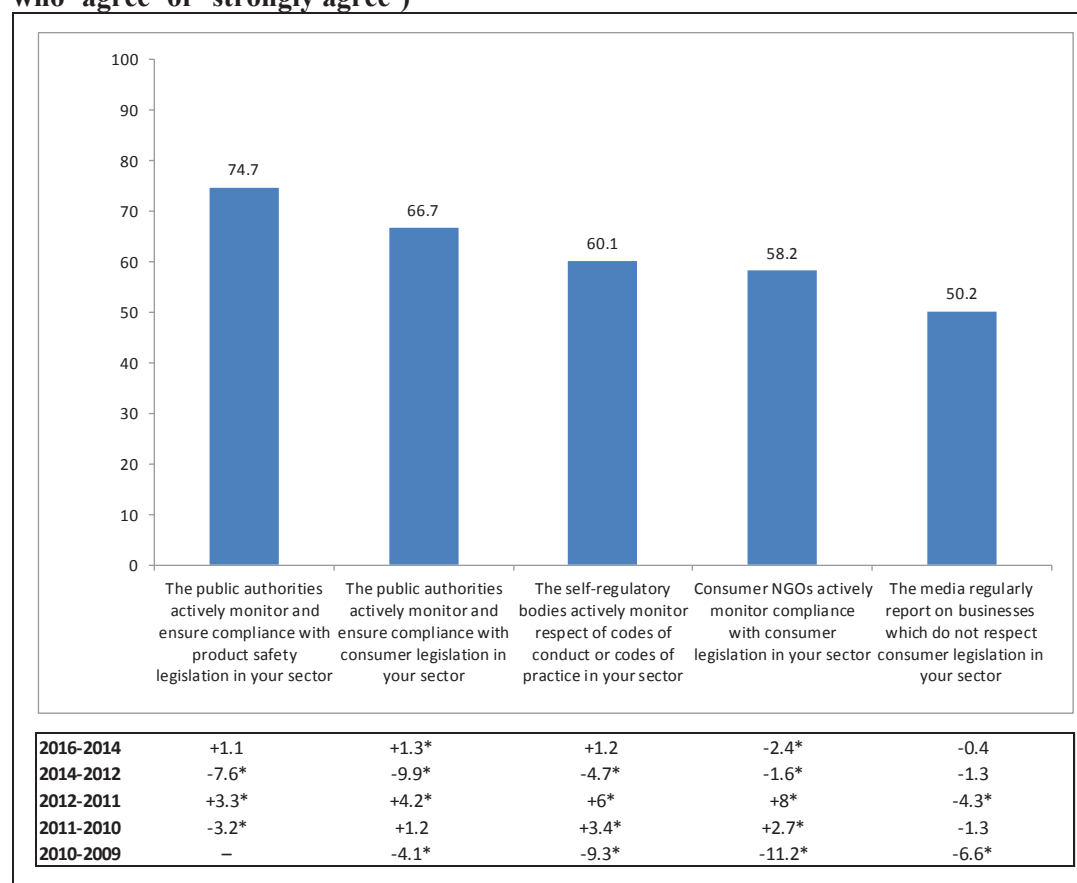
1.1.4. Enforcement of consumer and product safety legislation

Retailers value enforcement activities but are less positive than before

European legislation aims to ensure a consistent, high level of protection of consumer health and safety and consumer rights. Enforcement of these rules ensures that consumers are able to enjoy their legal rights and that businesses operate on a level playing field. The Scoreboard measures the enforcement of consumer and non-food product safety rules based on retailers' assessments of the monitoring work carried out by various organisations in their sector (e.g. public authorities and consumer NGOs).

Most retailers in the EU assess public authorities' enforcement positively, agreeing that authorities actively monitor and ensure compliance with product safety legislation (74.7 %) and consumer legislation (66.7 %) in their sector. Six out of ten companies (60.1 %) agree that self-regulatory bodies actively monitor compliance with codes of conduct or codes of practice in their sector; closely followed by a share of 58.2 % who consider that consumer NGOs actively monitor compliance with consumer legislation. Finally, half of all retailers (50.2 %) agree that the media regularly report on businesses that do not comply with consumer legislation in their sector.

Figure 10: Enforcement of consumer and product safety legislation, EU-28, 2016 (% of retailers who 'agree' or 'strongly agree')



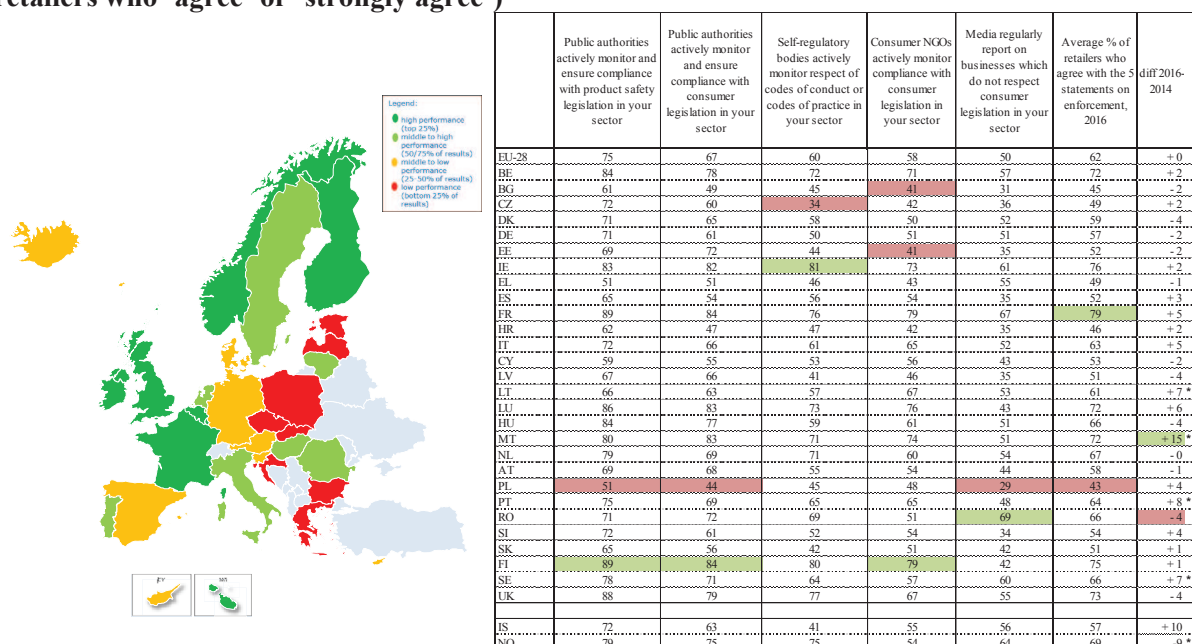
Source: Survey on retailer attitudes towards cross-border trade and consumer protection: Please tell me whether you strongly agree, agree, disagree or strongly disagree with each of the following statements... – data for 2009-2012 refer to EU-27, base all retailers (N=10 988), except 'The public authorities actively monitor and ensure compliance with product safety legislation in your sector' retailers selling non-food products (n=4 459)

Retailers' assessment of enforcement (defined as the average rate of agreement with the five statements on enforcement) in 2016 is similar to 2014, a halt in the downward trend observed in that survey.

Retailer' feedback on enforcement is more positive in the North and West of the EU than in East and South. Looking at individual country results, the average rate of agreement with the five statements is highest in France (78.7 %), Ireland (75.8 %) and Finland (74.8 %) and lowest in Poland (43.2 %), Bulgaria (45.3 %) and Croatia (46.4 %). Compared with 2014 the largest increase in an EU country occurred in Malta (+15.1) and the largest decrease in Romania (-4.3). Norway saw an even sharper decline (-8.7).

The size of the business is relevant — smaller retailers (10-49 employees) tend to assess enforcement less favourably than medium-sized or larger companies.

Figure 11: Enforcement of consumer and product safety legislation, country results, 2016 (% of retailers who 'agree' or 'strongly agree')



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: Please tell me whether you strongly agree, agree, disagree or strongly disagree with each of the following statements... base: all retailers (n=10 988) except 'Public authorities actively monitor and ensure compliance with product safety legislation in your sector' retailers selling non-food products (n=4 745)

As in 2014, retailers' views on enforcement have a strong positive correlation with their assessment of compliance (0.64) and a moderate negative correlation with the perceived prevalence of unfair commercial practices (-0.53), which suggests that monitoring and enforcement efforts effectively translate into better outcomes for consumers.

The high correlations observed between retailers' assessment of the role of public authorities and of consumer NGOs in monitoring compliance and consumer trust in these organisations to protect consumer rights (0.74 and 0.63 respectively) also support the conclusion that proactive enforcement is making a difference.

In addition, the composite indicator on enforcement shows a moderate positive correlation with the World Bank's governance indicators³.

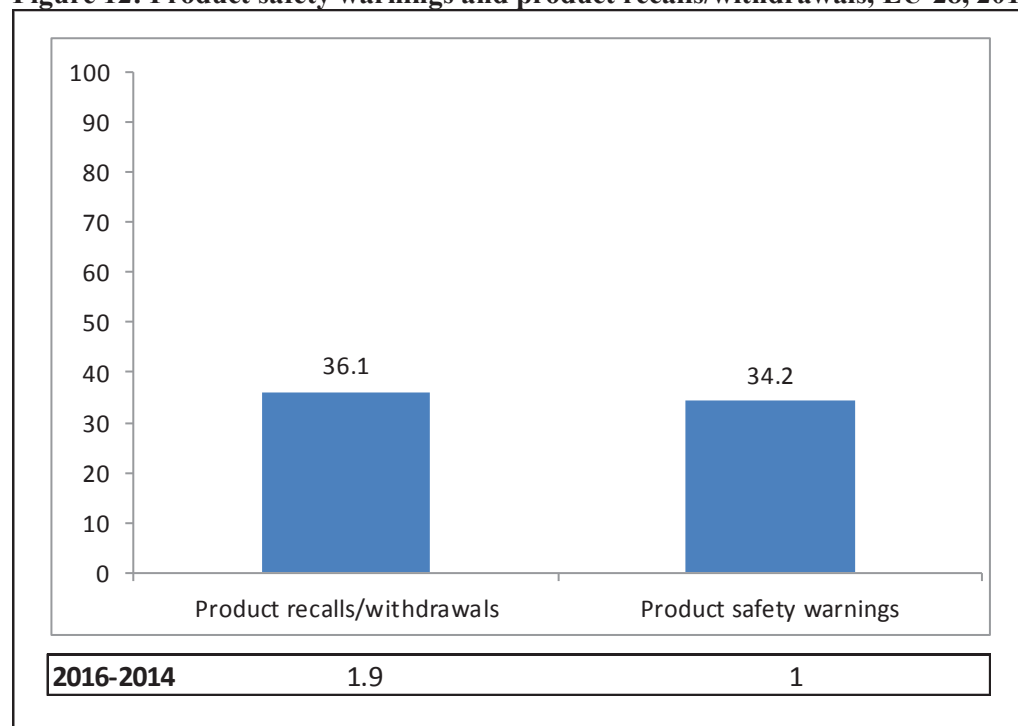
Ratings for product safety enforcement remain stable

Retailers selling non-food products were also asked whether any product warnings or product withdrawals had taken place in their sector in the past 24 months. Just over a third of retailers (36.1 %) report that product withdrawals by public authorities did take place and almost the same proportion (34.2 %) say public warnings on product safety by public authorities were issued in their sector in the past 24 months. This is comparable to the results for 2014⁴.

³ The correlation coefficients are equal to around 0.5 for all the governance indicators except 'political stability' and 'absence of terrorism' (which are not statistically significant).

⁴ Changes between 2014 and 2016 are statistically not significant.

Figure 12: Product safety warnings and product recalls/withdrawals, EU-28, 2016 (%)

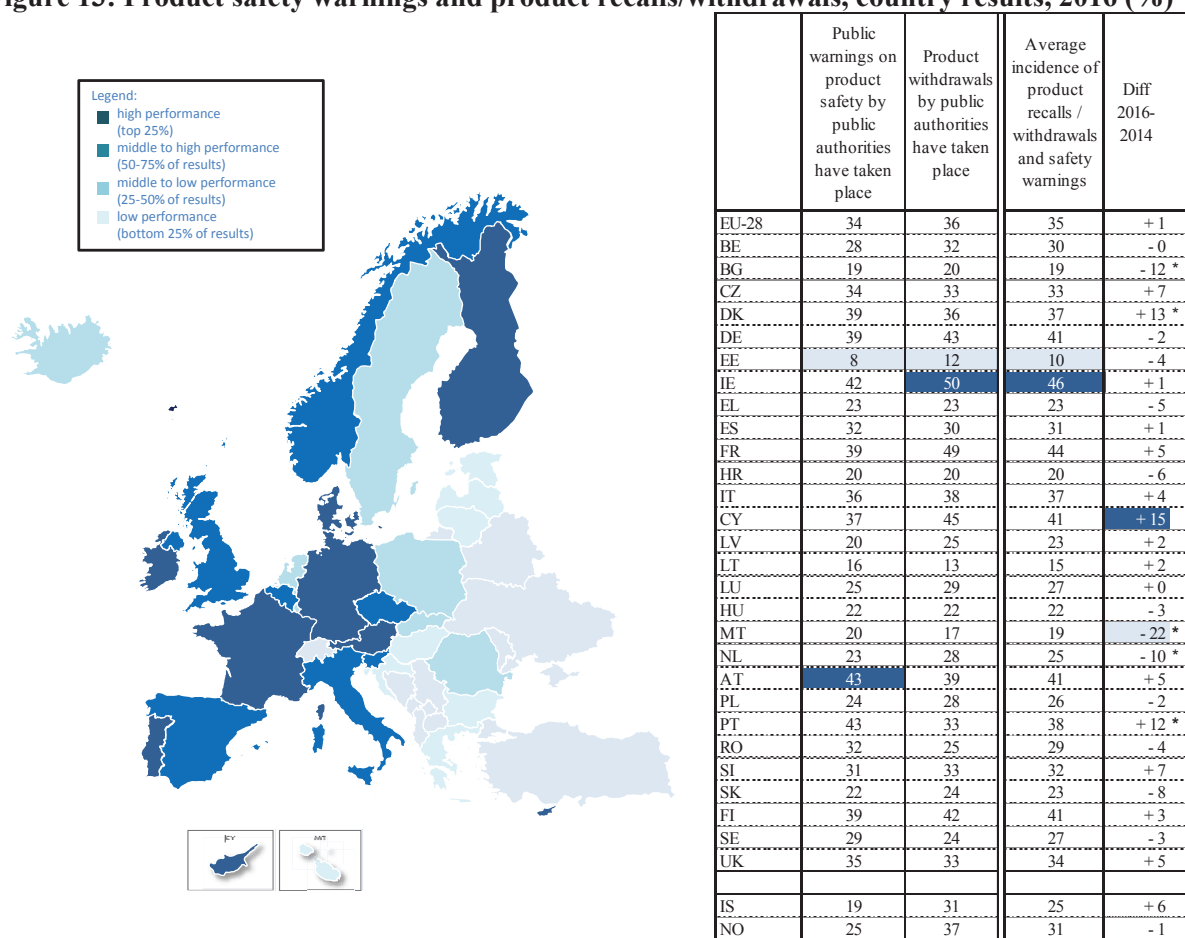


Source: Survey on retailer attitudes towards cross-border trade and consumer protection: With regard to product safety, please tell me whether any of the following has taken place in your sector in the last 24 months... base: retailers who sell non-food products (N=4 745).

Retailers in Ireland (49.7 %), France (48.7 %) and Cyprus (44.6 %) are most likely to say that product withdrawals by public authorities did take place, while those in Estonia (12.4 %), Lithuania (12.8 %) and Malta (16.6 %) are least likely to.

Public warnings on product safety are most often reported by retailers in Austria (43.3 %), Portugal (43.1 %), and Ireland (41.9 %) and least often by those in Estonia (8.4 %), Lithuania (16.4 %) and Bulgaria (19.2 %).

Figure 13: Product safety warnings and product recalls/withdrawals, country results, 2016 (%)⁵



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: With regard to product safety, please tell me whether any of the following has taken place in your sector in the last 24 months... base: retailers who sell non-food products (N=4 745)

Annual compliance checks by national enforcers

Each year enforcement authorities in EU countries, Norway and Iceland screen retail websites with a given focus to verify compliance with relevant consumer legislation. These ‘sweeps’⁶ are coordinated within the Consumer Protection Cooperation network by the European Commission since 2008⁷.

In the second phase of the sweep enforcement authorities take action, for example by contacting companies to ensure that any irregularities are corrected.

⁵ For the indicator ‘public warnings on product safety by public authorities have taken place’ the values for Austria and Portugal are 43.3 and 43.1 respectively

⁶ http://ec.europa.eu/consumers/enforcement/sweeps/index_en.htm

⁷ The network is comprised of national authorities responsible for enforcing consumer legislation under the CPC Regulation 2006/2004

The latest sweep focused on the information that is available to consumers on a website before they make their purchase. This aspect — referred to as ‘pre-contractual information’ — is regulated by the Consumer Rights Directive⁸. In total, the authorities checked 743 websites covering the full spectrum of traders, from smaller market players to major e-commerce platforms. In-depth scrutiny by national enforcers confirmed the irregularities detected during the first check on 436 of the websites. 81 % of the sites had been corrected by October 2016, with proceedings ongoing for the remaining sites.

The main issues identified during the sweep were:

- Missing, unclear or incomprehensible information on the right of withdrawal from a transaction (63% of websites). Some websites, for example, did not provide a withdrawal form although this is a legal obligation, or did not inform consumers about the number of days available to consumers to withdraw from the purchase (14 days under EU legislation);
- Incomplete or unclear details on the trader, such as the address or full name of the retailer (34 % of websites);
- Failure to provide consumers with a clear and prominent display of the price or contractual conditions before the order confirmation (21 % of websites);
- Unclear information on product or service characteristics (18 % of websites).

This pattern of irregularities was observed across all the sites checked irrespective of the sector, type of retailer (multi-purpose or specialised) or item purchased (good, service or digital content).

⁸ Directive 2011/83/EU on consumer rights; OJ L 304 22.11.2011

1.2. Complaints and dispute resolution

Consumer conditions are also influenced by the availability to consumers of the means to complain and seek redress if they experience problems with a purchase. Accessibility and satisfaction with complaint handling also play a role. Finally, getting redress can reduce or even offset consumer detriment and help reinforce consumer confidence in the shopping environment.

When consumers communicate about problems and seek solutions this also provides companies with valuable feedback and contributes to building long-term customer relations, which in turn impacts favourably on the functioning of markets.

This component of the Consumer Conditions Index examines consumers' propensity to complain about problems and their satisfaction with complaint handling. It also looks at the awareness, use and promotion of Alternative Dispute Resolution (ADR) schemes in each country.

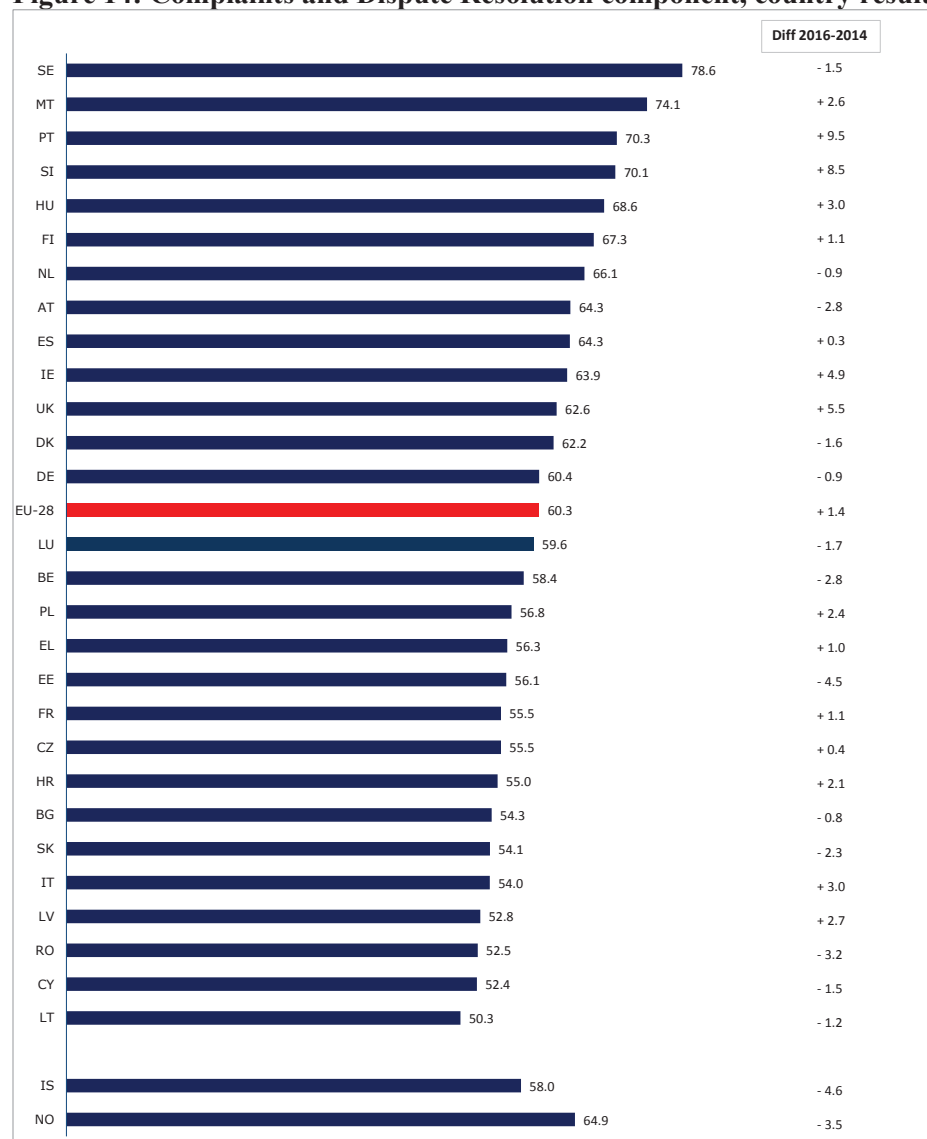
The length of judicial proceedings is also examined here (although it is not part of the composite indicator on complaints and dispute resolution).

Complaints and dispute resolution evolve positively

The Complaints and Dispute Resolution component at EU-28 level increased by 1.4 points compared with 2014 to reach a value of 60.3 in 2016.

The ranking is led by Sweden (78.6), followed by Malta (74.1), Portugal (70.3), Slovenia (70.1) and Hungary (68.6), while the lowest scores are observed in Lithuania (50.3), Cyprus (52.4), Romania (52.5) and Latvia (52.8). Compared with 2014, Portugal saw the highest increase (+9.5), closely followed by Slovenia (+8.5) and then the United Kingdom (+5.5), Ireland (+4.9) and Hungary (+3). In 13 Member States, the indicator fell. The countries which saw the largest decreases are Estonia (-4.5), Romania (-3.2), Austria and Belgium (-2.8) and Slovakia (-2.3). There is also a decline in Iceland (-4.6) and Norway (-3.5).

Figure 14: Complaints and Dispute Resolution component, country results, 2016 (scale 0-100)



Source: Surveys on consumer and retailer attitudes towards cross-border trade and consumer protection.

1.2.1. Complaining in the event of problems

Fewer consumers report problems when purchasing, but also fewer complain

One fifth of consumers indicate that they experienced a problem when buying or using goods or services in the past 12 months that in their view provided a legitimate cause to make a complaint. However, almost a third (30.8 %) took no action. More consumers living in EU-13 countries experienced problems and more of those consumers took action than those living in EU-15 countries.

Compared with 2014, fewer consumers report having encountered a problem in the past twelve months (-2.6), but also fewer appear to be taking action when experiencing one (+6.1 points reported not having taken any action).

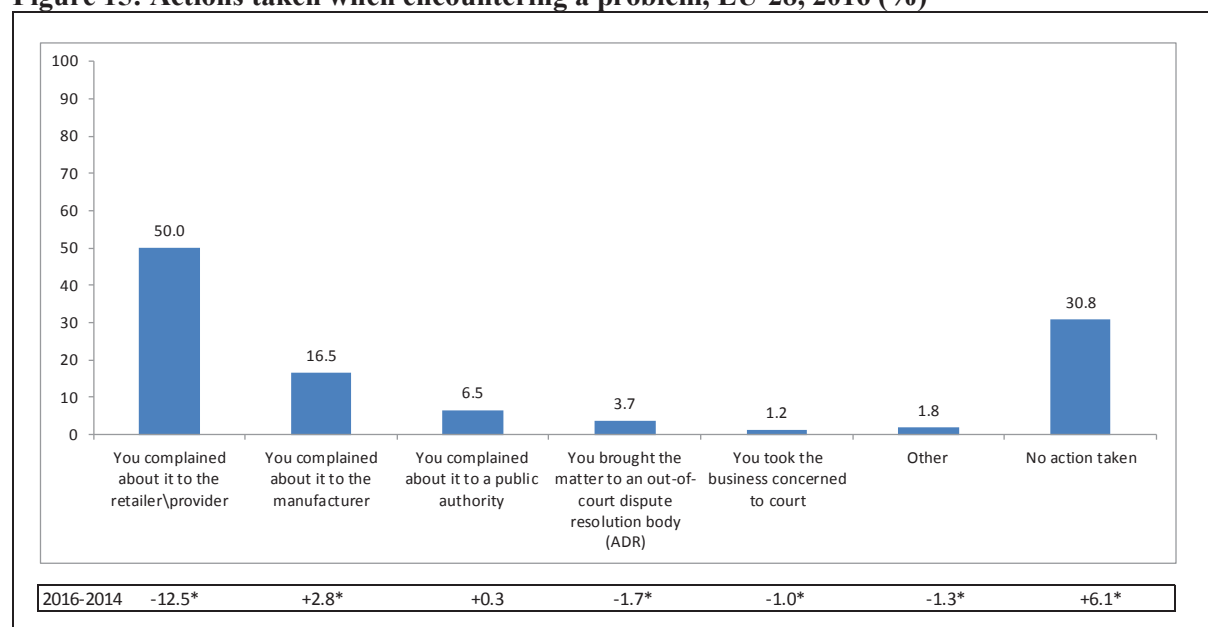
Education may play a role in this context. Consumers with a higher level of education are more likely to report problems. Similarly, white-collar workers are more likely to report having encountered problems than blue-collar workers.

Respondents with greater knowledge of consumer rights report a higher incidence of problems and are more likely to take action than those with little knowledge. Gender and age are also relevant factors, as male consumers and people under 55 are more likely to report having encountered a problem. Finally, respondents who perceive themselves as vulnerable because of their socio-demographic status are also more likely to say they did experience problems.

Of those consumers who say they did encounter a problem, most (50.0 %, a significant fall of 12.5 points from 2014) complained directly to the retailer or service provider and some complained to the manufacturer (16.5 %). Compared with 2014, more consumers (+2.8) took their complaint to the manufacturer. Consumers are far less likely to take their problem to a public authority (6.5 %) or to an out-of-court dispute resolution body (3.7 %) and only 1.2 % lodged a court case. This distribution mirrors the expected pattern of behaviour when problems arise with a purchase, i.e. consumers contact the retailer or provider in the first instance and only escalate the complaint if they do not receive a satisfactory response.

Unsurprisingly, consumers who are dissatisfied with the handling of their complaint by the retailer/service provider are more likely to complain to a public authority, out-of-court dispute resolution body or to a court. However, compared with 2014, consumers appear less inclined to take their complaints to court or to an out-of-court dispute resolution body (respectively -1 and -1.7, statistically significant decreases).

Figure 15: Actions taken when encountering a problem, EU-28, 2016 (%)⁹



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: And what did you do? (multiple answers possible) base: respondents who encountered a problem (n= 5 339).

⁹ Possible actions (with the exception of 'no action') are not mutually exclusive so percentages do not necessarily add up to 100%.

Looking at retailers' replies, over a third of retailers (37.6 %) say they have received complaints from consumers in their own country in the past 12 months. The likelihood of receiving complaints depends to some extent on company size, with larger companies more likely to receive complaints.

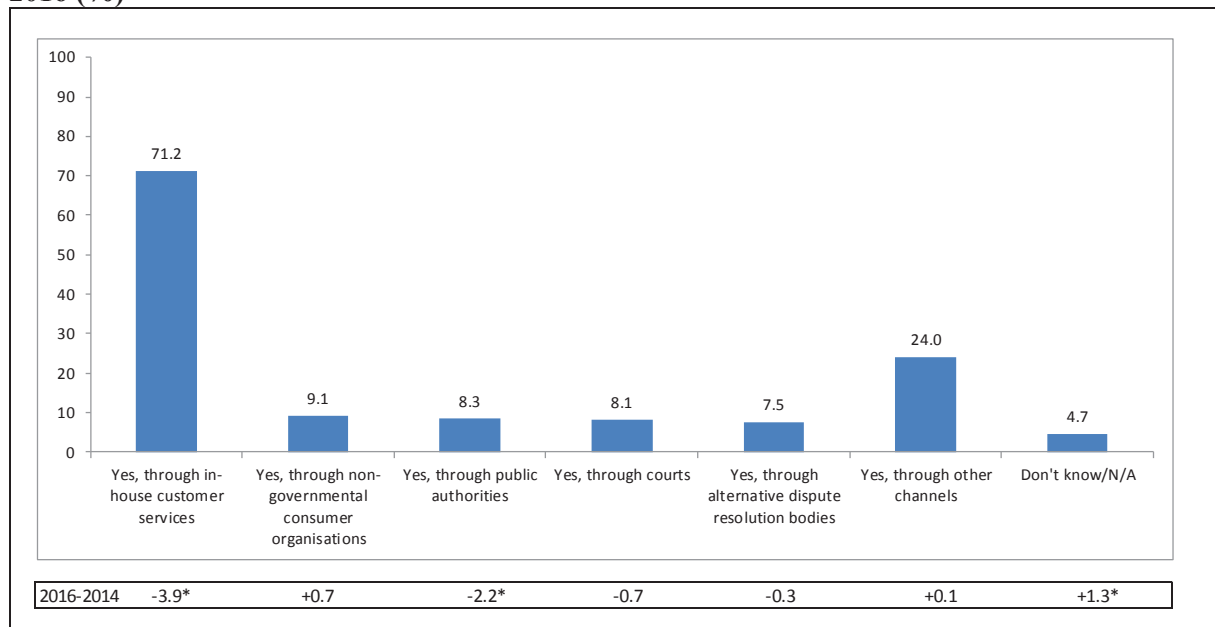
Mirroring the patterns observed in the consumer survey (although with some differences), retailers are most likely to receive complaints through their in-house customer services (71.2 %) and to a much lesser extent through non-governmental consumer organisations (9.1 %), public authorities (8.3 %), courts (8.1 %) or alternative dispute resolution bodies (7.5 %). Almost one in four retailers mention complaints received through other, non-specified, channels than the ones listed above (24 %).

Compared with the findings in 2014, fewer retailers (-2.3) report having received complaints from consumers living in the same country (irrespective of the complaint method). Looking at the group of retailers that received complaints, fewer complaints are received through in-house customer services or public authorities (-3.9 and -2.2 respectively). No significant changes are observed for the other complaint channels.

Retailers receive primarily complaints from consumers residing in other countries through in-house customer services (72.1 %). Other channels (such as non-governmental consumer organisations, public authorities, courts or out-of-court dispute resolution bodies) are rarely mentioned. The same applies to channels set up to facilitate handling of consumer complaints in other countries, such as the European Consumer Centres¹⁰ or the European Small Claims Procedure.

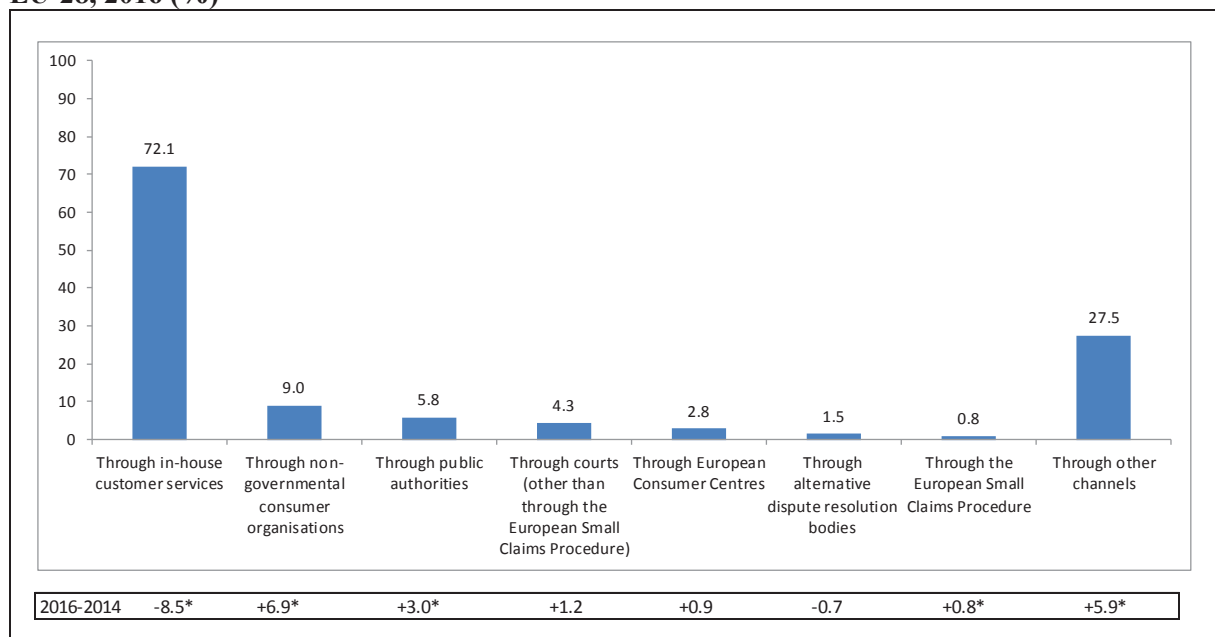
¹⁰ The European Consumer Centres promote understanding of EU consumer rights and help to resolve complaints about purchases made in another country in the network when travelling or shopping online.

Figure 16: Complaints received from domestic consumers through different channels, EU-28, 2016 (%)



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: During the past 12 months, has your company received complaints from consumers located in (OUR COUNTRY)? (multiple answers possible) base: respondents that did receive complaints from domestic consumers (n=4 116).

Figure 17: Complaints received from cross-border consumers through different channels, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: During the past 12 months, has your company received complaints from consumers located in other EU countries? (multiple answers possible) base: respondents that did receive complaints from cross-border consumers (n= 435).

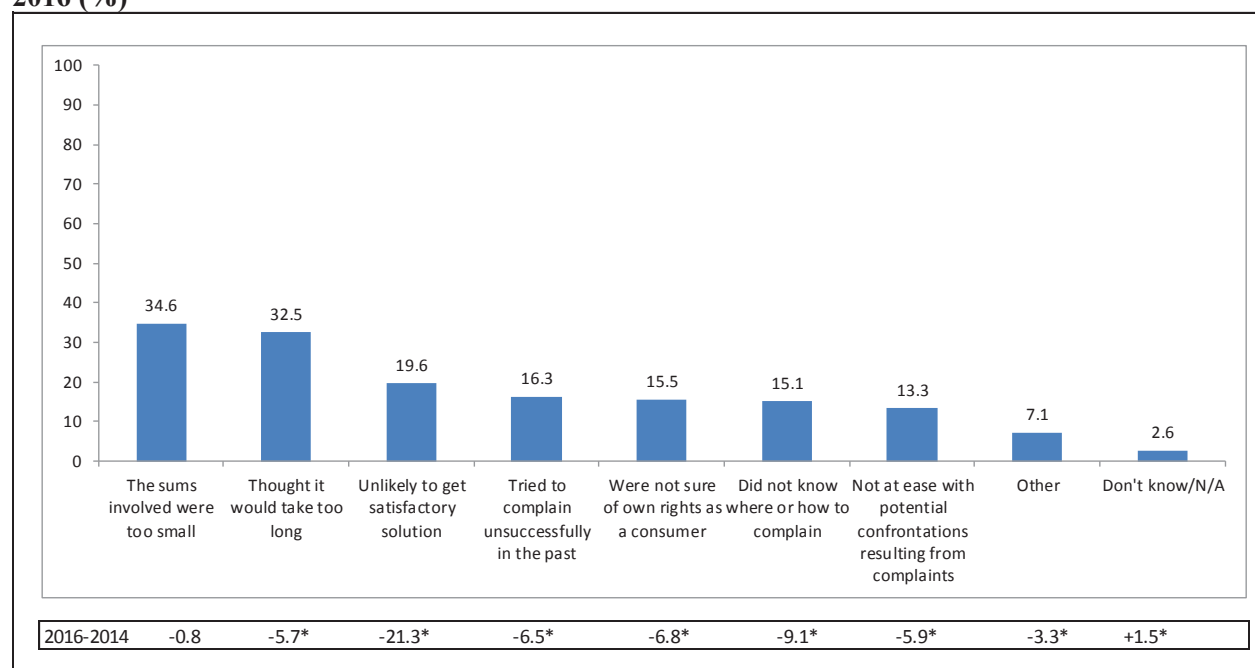
When consumers are asked why they did not take action when they felt they had a legitimate reason for doing so, around a third indicate that the sum at stake was too small (34.6 %) and a similar proportion says that it would be too time-consuming (32.5 %). Other reasons for not complaining included:

- having complained unsuccessfully in the past and not wanting to try again (16.3 %);
- uncertainty about where to address the complaint (15.1 %);
- uncertainty about consumer rights (15.5 %);
- believing a satisfactory solution was unlikely (19.6 %);
- fear of confrontation (13.3 %), which may indicate a lack of assertiveness.

A positive development in 2016 compared with 2014 is that fewer consumers seem to believe that a complaint is unlikely to produce a satisfactory solution (down to 19.6 %, i.e. roughly half of the percentage in 2014). If confirmed over time, this may be the result of continued efforts at EU and national level to promote consumer rights and to develop easier ways for consumers to complain. However, the length of the complaint process remains one of the main barriers.

In general, consumers who perceive themselves as vulnerable are more likely to give a reason for not complaining¹¹. Very vulnerable consumers are more likely to report having tried unsuccessfully to complain in the past.

Figure 18: Consumers' reasons for not taking action when encountering a problem, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: What were the main reasons why you did not take any action? (multiple answers possible) base: respondents who experienced problems but didn't take any action (n=1 474).

1.2.2. Satisfaction with complaint handling

Rise in consumer satisfaction with complaint handling

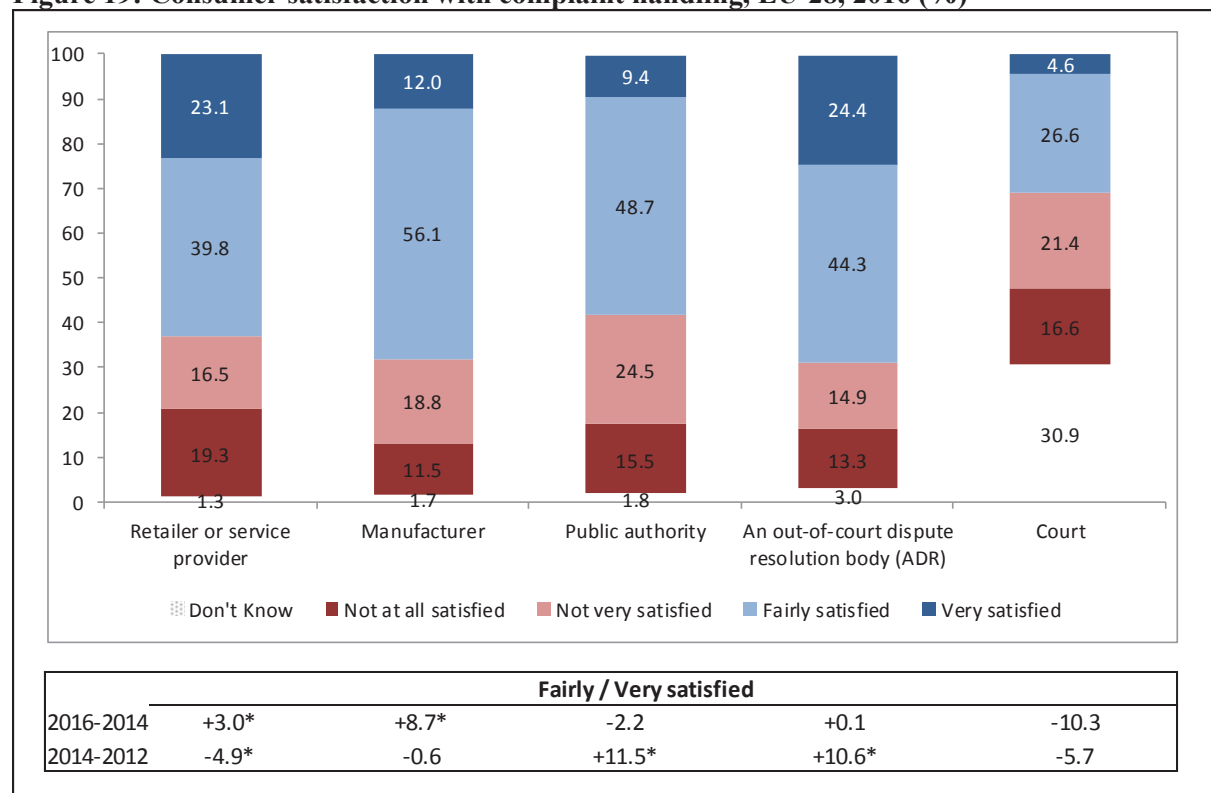
Consumers' average satisfaction with complaint handling was calculated across the different channels they use. On average, 63.4 % of consumers report they are satisfied with how their

¹¹ This applies to all reasons for not complaining listed in the survey except for 'sums involved were too small'.

complaint was handled, an increase of 3.5 percentage points compared with 2014. Consumers in EU-15 countries (64.4 %) are slightly more satisfied with complaint handling than those living in EU-13 countries (60.7 %). Consumers tend to be more satisfied with out-of-court dispute resolution (68.7 %) and with companies handling complaints (62.9 % for sellers and 68.1 % for manufacturers) than with complaint handling by public authorities (58.1 %) or courts (only 31.2 % satisfied).

Overall the levels of satisfaction with complaint handling by the different entities are comparable with the findings in 2014 except for complaint handling by both retailers/service providers and by manufacturers, which increased by 3 and 8.7 percentage points respectively.

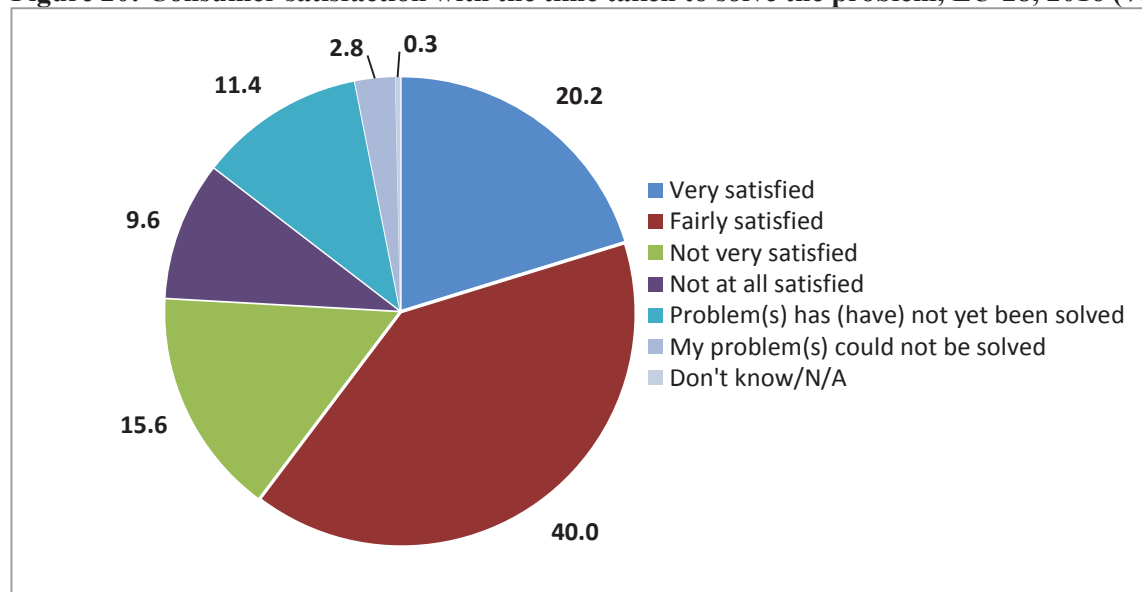
Figure 19: Consumer satisfaction with complaint handling, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: In general, how satisfied or dissatisfied were you with the way your complaint(s) was (were) dealt with by the ..., base: consumers who encountered a problem and did take action (retailer or service provider n=2 945, manufacturer n=601, public authority n=296, out-of-court dispute resolution body n=179, court n=47) – data for 2012 refer to EU-27 countries.

In addition to the question on satisfaction with complaint handling, who had complained to a retailer or service provider were asked how satisfied they were with the time it took to resolve their problem(s). 60.3 % are satisfied with the time taken, while 25.2 % were not. Another 11.4 % says that their problem(s) had not yet been solved, while 2.8 % state that their problem(s) could not be solved at all. Consumers in EU-15 countries are slightly more satisfied with the time taken to solve problems (61.0 %) compared with those in EU-13 countries (58.7 %).

Figure 20: Consumer satisfaction with the time taken to solve the problem, EU-28, 2016 (%)



Source: Survey on consumer attitudes towards cross-border trade and consumer protection: In general, how satisfied were you with the time needed to have your problem(s) solved by the retailer or services provider? base: consumers who complained to the retailer or service provider (n=2 945).

1.2.3. Problems and Complaints indicator

A composite indicator ‘Problems and Complaints’¹² was developed for the Scoreboard to address issues relating to limited sample sizes at country level for certain indicators.

The composite indicator focuses on purchases made by consumers from companies based in the same country (‘domestic purchases’). It combines the answers to questions on the occurrence of a problem, the type of action taken, the level of satisfaction with the handling of the complaint and, if appropriate, the reason for not taking action.

On this basis, 11 scenarios and scores (with higher scores indicating better performance for this indicator) were developed with the scientific support of the Commission’s Joint Research Centre and in consultation with Member State experts.

One advantage of combining the answers to the different questions in specific scenarios is that a higher rate of complaints is not automatically seen as an indicator of better consumer conditions (unless combined with a satisfactory response) and that there is no penalty for not complaining because of the small amount of money at stake.

Northern and western EU countries score higher on problems and complaints indicator than eastern and southern countries

For EU-28 countries, the composite indicator on problems and complaints stands at 88.9 %. The value for the EU-15 countries is slightly higher at 89.4 %. For EU-13 countries, it is

¹² For detailed information on the composition of the composite indicator see chapter 2.2.1 of Van Roy, V., Rossetti, F., Piculescu, V. (2015). Consumer conditions in the EU: revised framework and empirical investigation, JRC science and policy report, JRC93404, <http://publications.jrc.ec.europa.eu/repository/handle/JRC93404>

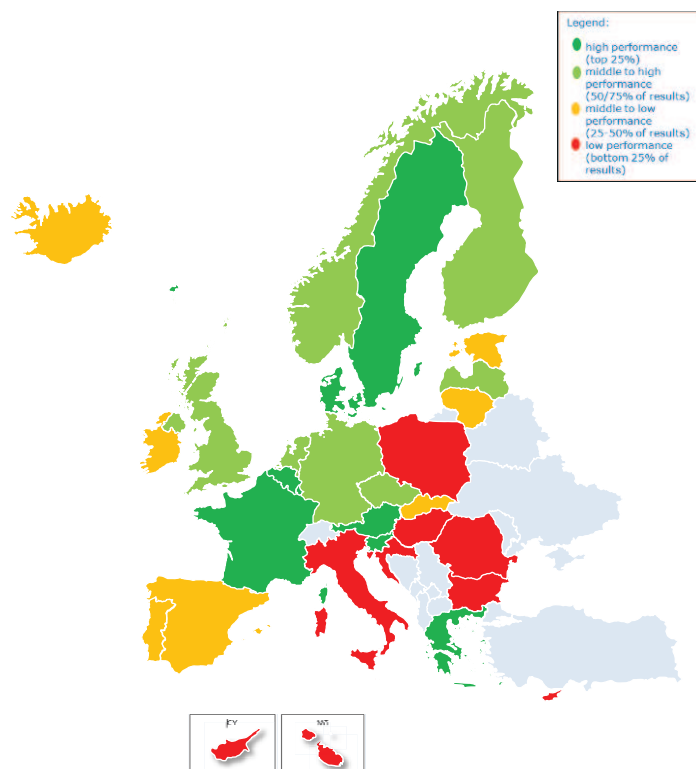
slightly lower at 87.1 %. Northern (90.5 %) and western (90.0 %) regions score better than the eastern (87.1 %) and southern (88.0 %) regions.

Compared with 2014, the indicator has improved for the EU-28 by 1.1 percentage points and by the same amount in EU-15 and EU-13 countries (+1.1 for both). This suggests that consumers are encountering fewer problems in their transactions with companies and that there is a higher level of satisfaction with complaint handling overall.

Slovenia (93.0 %), Denmark (92.1 %), and Belgium (91.7 %) score highest on this indicator, while Romania (83.7 %), Croatia (85.7 %), and Malta (85.9 %) score lowest. Compared with 2014, the problems and complaints indicator improved most in Greece (+6.1) and decreased most in Cyprus (-3.8) and Malta (-3.7).

The main differences between countries are in the percentage of consumers who took no action when they encountered a problem. Specifically, consumers in Finland, Sweden and Denmark are most likely to complain, as only 5.5 %, 6.8 % and 9.3 % respectively did not complain. The opposite is true in Greece where 47.3 % of the consumers took no action when faced with problems, followed by Bulgaria (44.4 %) and Cyprus (40.8 %). Major changes are observed in some countries, such as Austria which had the highest reported percentage of consumers who complained in 2014, but sees the biggest increase in 2016 (+20.4) in the proportion of consumers preferring to take no action. In general, however, both at indicator level and in terms of consumers having encountered a problem, the differences between countries are small.

Figure 21: Problems and complaints by consumers, country results, 2016 (%)



	Percentage having experienced a problem	Percentage having experienced a problem but did not complain	Problems & complaints Composite indicator 2016	diff 2016-2014
EU-28	20	20	89	+1
BE	14	16	92	-0
BG	17	44	87	+3
CZ	21	12	89	-0
DK	16	9	92	-0
DE	19	23	90	-1
EE	21	22	88	-2
IE	17	32	89	+2
EL	11	47	91	+6
ES	17	11	89	+3
FR	16	27	90	-0
HR	26	18	86	+5
IT	26	20	86	+4
CY	17	41	88	-4
LV	18	17	89	+3
LT	17	27	88	+1
LU	19	22	90	-3
HU	25	15	87	+1
MT	23	20	86	-4
NL	23	10	90	+1
AT	17	24	90	-2
PL	28	11	88	+2
PT	20	14	88	-3
RO	25	29	84	+0
SI	14	12	93	+1
SK	22	11	88	-0
FI	27	5	90	+1
SE	21	7	90	-1
UK	18	28	90	+2
IS	21	12	89	-1
NO	20	12	90	-1

Source: Survey on consumer attitudes towards cross-border trade and consumer protection. Base: 'Percentage having experienced a problem' - all respondents (n=26 599); 'Percentage having experienced a problem but did not complain' - people who experienced a non-negligible problem (i.e. NOT stating that the sums involved were too small) (n=5 164).

Looking at socio-demographic characteristics, consumers who consider themselves vulnerable score lower on the problems and complaints indicator, suggesting that this group of consumers is confronted with more problems and/or is less satisfied with complaint handling.

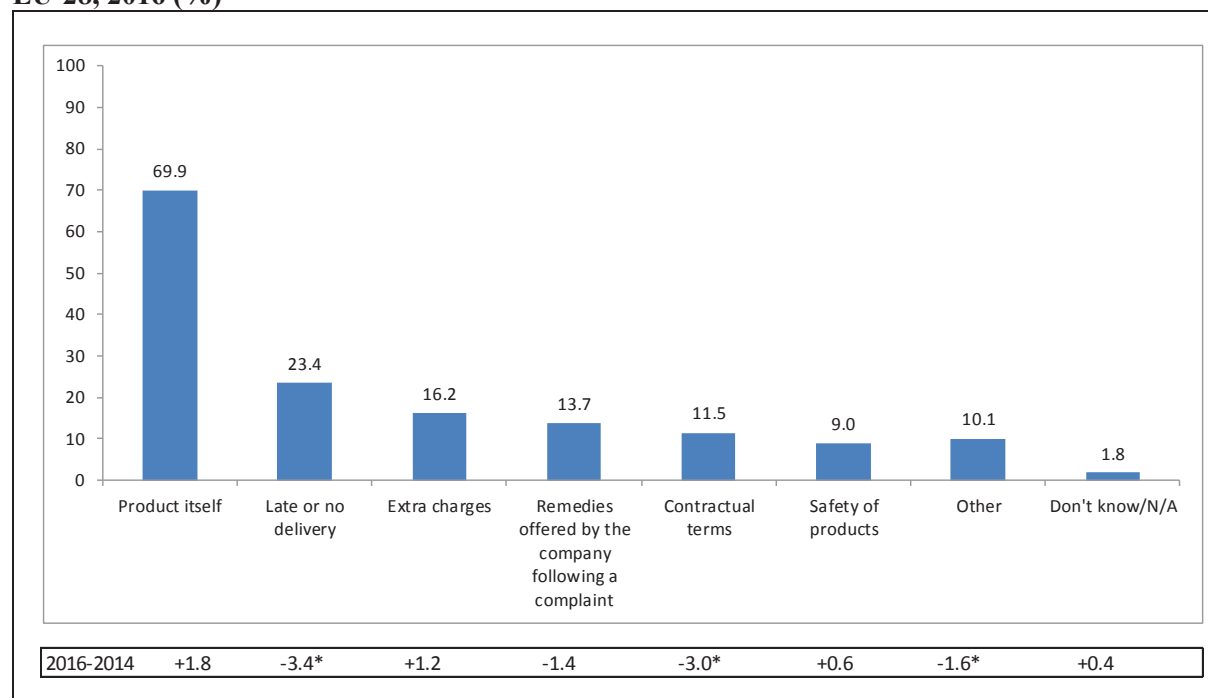
1.2.4. Types of complaints

The types of complaints from domestic and cross-border consumers are similar

Retailers who have received complaints from consumers in their country during the past 12 months are most likely to report complaints about the product itself (69.9%), late or non-delivery (23.4 %), additional charges that were not expected (16.2 %), the remedies offered by the company (13.7 %), contractual terms (11.5 %) and product safety (9.0 %).

While the range and relative proportion of issues about which retailers receive consumer complaints are broadly similar to the results observed in 2014, there are statistically significant decreases at EU level in complaints about late or non-delivery (-3.4) and contractual terms (-3.0).

Figure 22: Type of consumer complaints received from consumers in retailer's own country, EU-28, 2016 (%)

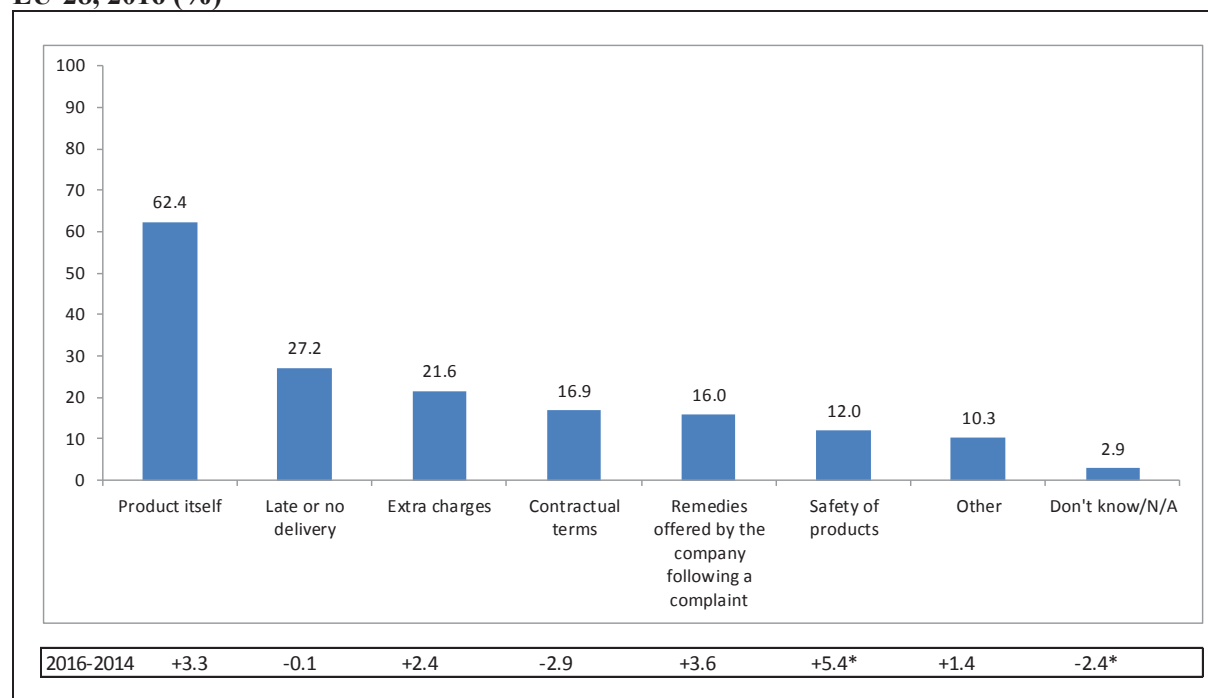


Source: Survey on retailer attitudes towards cross-border trade and consumer protection: What type of complaints has your company received from consumers located in [your country] during the past 12 months? Were they complaints about ... (multiple answers possible), base: retailers who have received complaints from consumers in their own country (N=3 923).

Complaints from consumers based in a different country to the retailer show a similar pattern. Retailers are most likely to receive complaints about the product itself (62.4 %) followed by late or non-delivery (27.2 %), extra charges (21.6 %), contractual terms (16.9 %), the remedies offered (16.0 %) and product safety (12.0 %).

Since 2014 however, the proportion of companies receiving complaints from consumers residing in a different country on product safety has increased by 5.4 percentage points.

Figure 23: Type of complaints received from consumers in other EU countries, EU-28, 2016 (%)



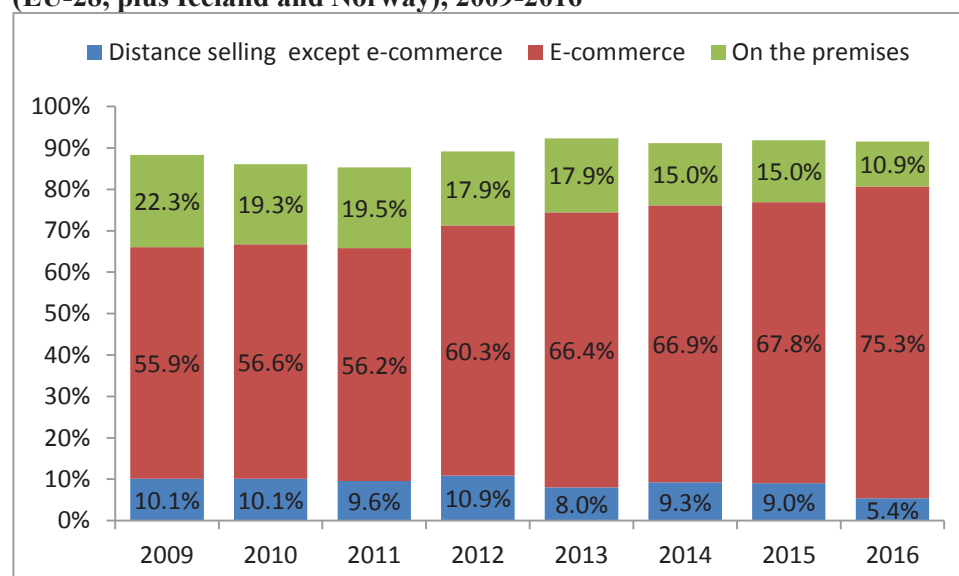
Source: Survey on retailer attitudes towards cross-border trade and consumer protection: What type of complaints has your company received from consumers located in other EU countries during the past 12 months? Were they complaints about... (multiple answers possible), base: retailers who have received complaints from consumers in other EU countries (N = 560).

Complaints concerning cross-border purchases received by European Consumer Centres concern mainly e-commerce

Data on consumer complaints collected through the European Consumer Centres (ECCs)¹³ show that three quarters of the complaints received by the ECCs in 2016 concerned online purchases. This proportion has been rising continuously since the network was set up (from 56 % in 2009), reflecting the steady growth of cross-border business-to-consumer e-commerce.

¹³ The European Consumer Centres (ECCs) were set up in 2009 to inform consumers of their rights when shopping in other Member States in the EU as well as in Iceland and Norway, and to assist them with their complaints. ECCs aim to settle disputes with traders amicably but also inform and guide consumers towards other channels, notably Alternative Dispute Resolution procedures if applicable. The complaints received by ECCs offer important insights into the main problems experienced by consumers when buying from another country of the EU, Iceland and Norway.

Figure 24: Complaints about cross-border purchases received by ECCs, by selling method, (EU-28, plus Iceland and Norway), 2009-2016



Source: ECC Network

Measuring consumer detriment—a new methodology

In May 2017, the European Commission published a study on ‘Measuring consumer detriment in the European Union’¹⁴ which set out a solid methodology for assessing personal consumer detriment as part of the Commission’s in-depth market studies.

Different dimensions of consumer detriment were considered, such as financial detriment, time loss and psychological detriment.

The methodology is designed to measure pre- and post-redress financial detriment separately. This is useful from a policy perspective and involves collecting additional detailed information from consumers about compensation received.

The methodology:

- builds on the experiences of previous methodologies and assessments;
- has been extensively tested, refined and validated;
- can be applied consistently across a range of markets and adapted to specific markets;
- measures and quantifies the incidence and magnitude of detriment, taking into account both pre- and post-redress financial detriment and non-financial detriment, such as time loss or psychological detriment; and
- incorporates sound, tested approaches in triangulating survey results with other data sources and extrapolating detriment estimates at EU-28 level.

Based on the work carried out as part of this study, a detailed step-by-step operational guidance document was developed to guide assessments of personal consumer detriment in consumer markets across the EU¹⁵.

¹⁴ http://ec.europa.eu/consumers/consumer_evidence/market_studies/consumer-detriment/index_en.htm

1.2.5. Awareness, use and promotion of alternative dispute resolution (ADR) mechanisms

Retailer uptake of alternative dispute resolution remains moderate

Out-of-court bodies can help consumers and traders to resolve their disputes over purchases made either online or offline. These alternative dispute mechanisms or procedures and the bodies offering them vary between countries but they generally offer a way to resolve disputes easily, relatively quickly and at a reasonable cost.

In the Scoreboard, retailers are asked about their awareness of alternative dispute resolution bodies and whether they opt for such procedures to settle disputes with consumers in their own country.

The 2016 results show that over half of all retailers (55.2 %) are aware of ADR. However, just under a third declare they are willing to settle their dispute using these procedures (31.8 %) and 15.0 % say that no ADR mechanism is available in their sector. Finally, 8.4 % explicitly declare they are unwilling to use ADR.

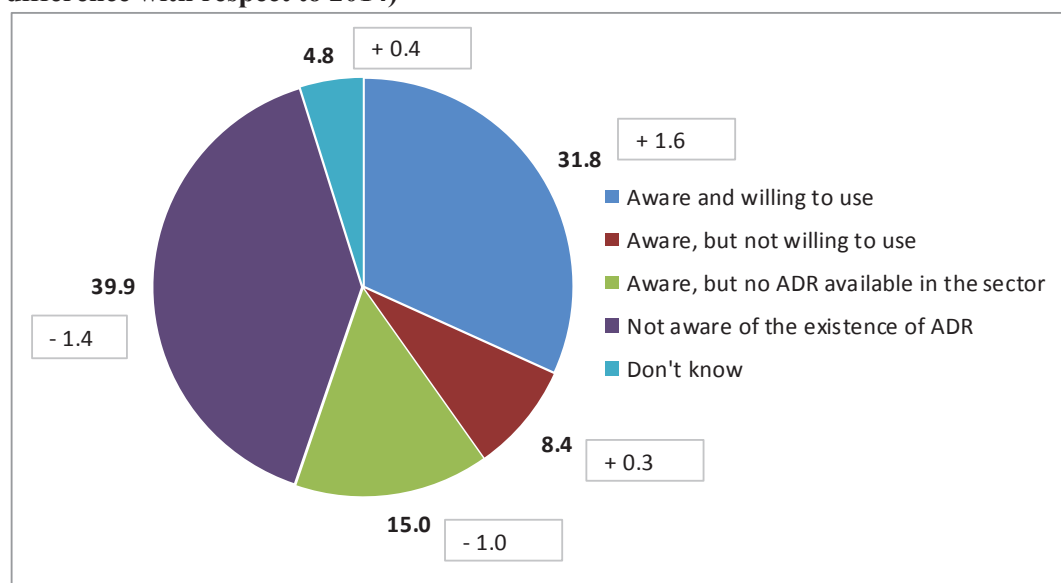
Overall, awareness of ADR is comparable to 2014 and participation in ADR procedures increased only modestly by 1.6 percentage points despite the implementation of a new regulatory framework¹⁶ on alternative dispute resolution in the EU. There is still substantial scope for increasing the uptake of alternative dispute resolution among retailers.

¹⁵

http://ec.europa.eu/consumers/consumer_evidence/market_studies/docs/consumer_detriment_study_final_report_part_2_guidance_en.pdf

¹⁶ Directive 2013/11/EU on consumer ADR, OJ L165. 18.6.2013

Figure 25: Retailer awareness of and willingness to use ADR mechanisms, EU-28, 2016 (and difference with respect to 2014)¹⁷



Source: Survey on retailer attitudes towards cross-border trade and consumer protection: Do you know any Alternative Dispute Resolution bodies for settling disputes with consumers in (OUR COUNTRY)? Base: all respondents (n=10 437). Numbers in the squares indicate the difference to previous survey wave

Awareness of ADR varies between countries. Retailers in EU-13 countries are more likely to be aware of alternative dispute resolution (57.4 %) compared with retailers in EU-15 countries (54.8 %). Across the EU, companies based in the northern region tend to be both the most aware and willing to use out-of-court mechanisms to resolve their disputes with consumers. In the East there is greater awareness but less willingness to participate.

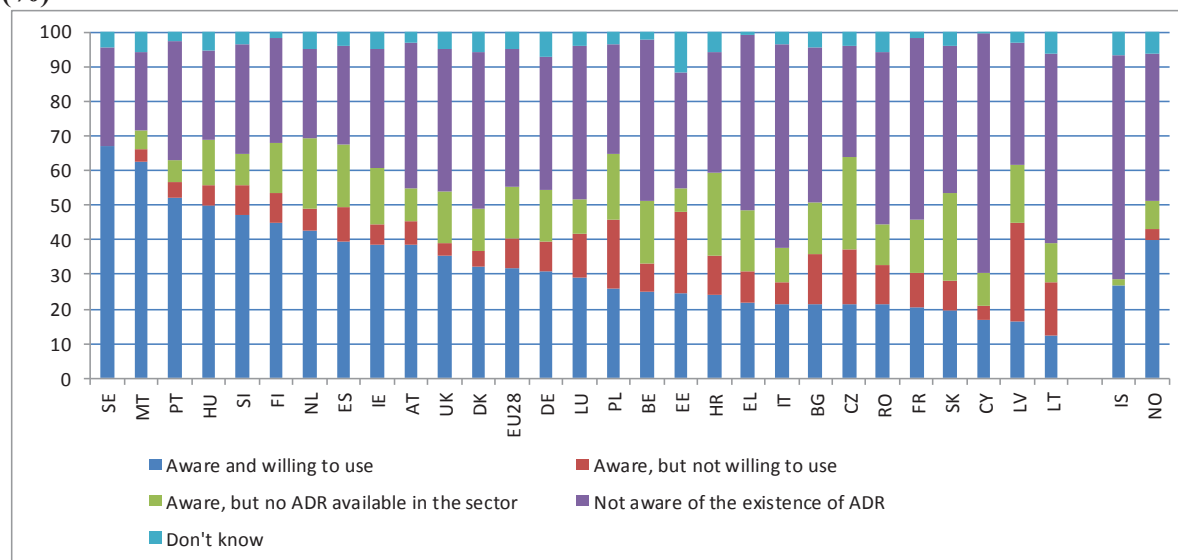
In 22 of the countries surveyed, a clear majority of retailers indicates that they are aware of alternative dispute resolution mechanisms, with the highest proportions of retailers in Malta (71.5 %), the Netherlands (69.1 %) and Hungary (69 %). At the opposite end of the scale, only around a third of retailers in Cyprus (30.6 %), Italy (37.5 %), as well as in non-EU Iceland (28.7 %) are aware of out-of-court bodies.

Reported awareness increased the most among retailers in Portugal (+15.9). Retailers in Portugal also report the highest increase in willingness to participate (+21.6).

Interestingly, there is not always a positive correlation between reported awareness and willingness to use ADR bodies. For example, in Sweden (where the score for both aspects is 67.2 %), Malta (71.5 % and 62.3 %), Portugal (62.8 % and 52.2 %) and Norway (51.1 % and 40.1 %) there is both high awareness of and willingness to use ADR. Meanwhile, in Latvia 61.7 % of retailers report being aware of ADR but few (16.2 %) show interest in resolving consumer complaints this way. A similar pattern can be observed in the Czech Republic, Poland, Croatia, Slovakia and Estonia.

¹⁷ The differences with respect to 2014 are shown in the boxes.

Figure 26: Retailer awareness of and willingness to use ADR mechanisms, country results, 2016 (%)



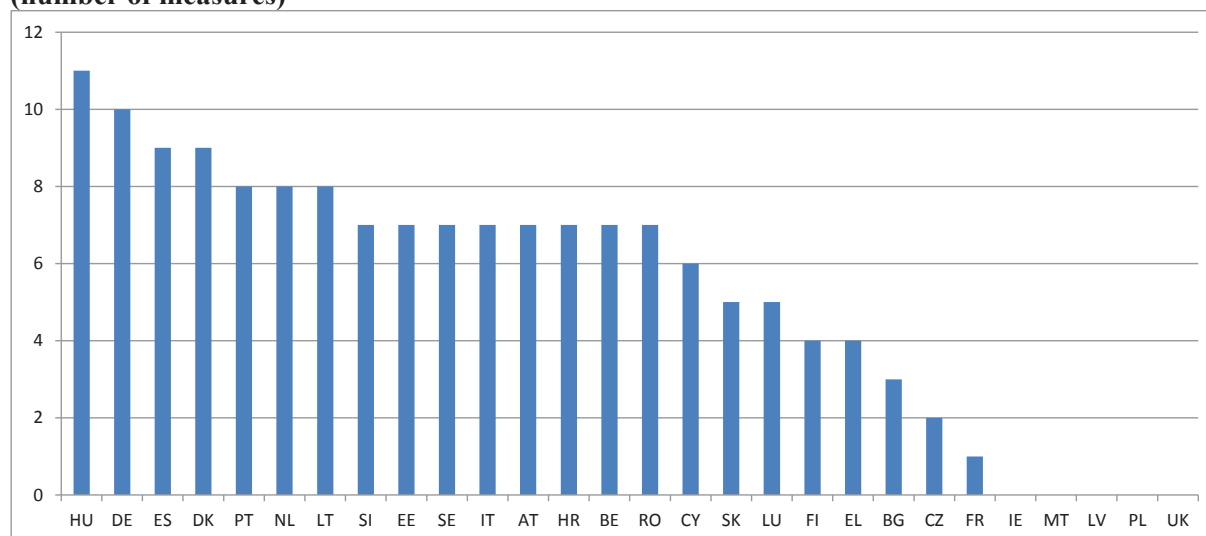
Source: Survey on retailer attitudes towards cross-border trade and consumer protection: Do you know any Alternative Dispute Resolution bodies for settling disputes with consumers in (OUR COUNTRY)? base: all respondents (n=10 437).

The EU Justice Scoreboard 2017¹⁸ published by the Commission contains data on Member States' public sector activities to promote and encourage the use of ADR procedures, such as information provided through websites or awareness raising campaigns. The aggregated indicator of the Justice Scoreboard presented in Figure 27 is based on 12 sub-indicators¹⁹.

¹⁸ http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

¹⁹ Aggregated data provided on the basis of several indicators: (1) Website providing information on ADR; (2) Publicity campaigns in media; (3) Brochures to the general public; (4) Court provides specific information sessions on ADR upon request; (5) ADR/mediation co-ordinator at courts; (6) Publication of evaluations on the use of ADR; (7) Publication of statistics on the use of ADR; (8) legal aid covers costs (in part or in full) incurred with ADR; (9) Full or partial refund of court fees; including stamp duties; if ADR is successful; (10) No lawyer for ADR procedure required; (11) Judge can act as mediator; (12) Others. For each of these 12 indicators, one point was given.

Figure 27: Promotion of and incentives for using ADR methods for consumer disputes, 2016 (number of measures)



Source: Based on data provided in the EU Justice Scoreboard 2017.

1.2.6. Length of judicial proceedings

Courts also play a role in enforcing consumer law as they ensure that companies do not gain unfair advantage by not respecting these rules and that consumer are able to exercise their rights. Depending on the national justice system in place and legal traditions, courts intervene at different points, for instance ruling on complaints lodged directly with them or on appeals relating to decisions taken by national authorities to enforce consumer rules. The length of these judicial proceedings can be an indicator of efficiency of the system.

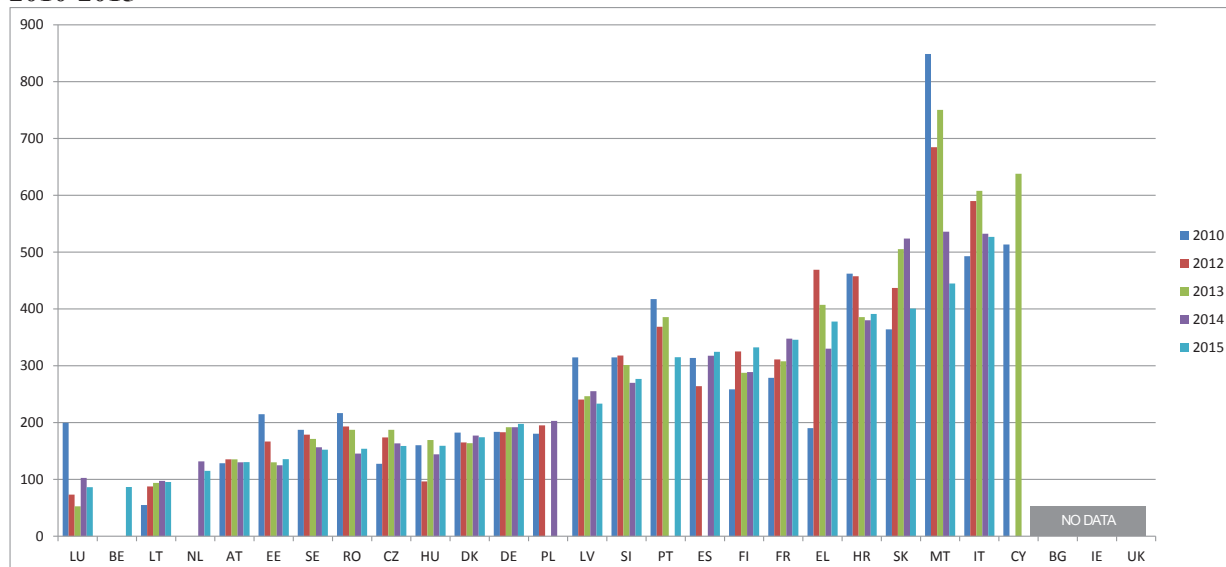
Figure 28 shows the length of proceedings (expressed in days) needed to resolve a case in court at first instance for litigious civil and commercial cases²⁰. First instance data are used for easier comparison, since different appeal procedures can have a major impact on the length of proceedings.

Figure 29 shows the time needed to resolve appeals relating to decisions by consumer protection authorities²¹.

²⁰ The length of proceedings is a standard indicator defined by the Council of Europe Commission for the Evaluation of the Efficiency of Justice (CEPEJ) http://www.coe.int/t/dghl/cooperation/cepej/evaluation/default_en.asp

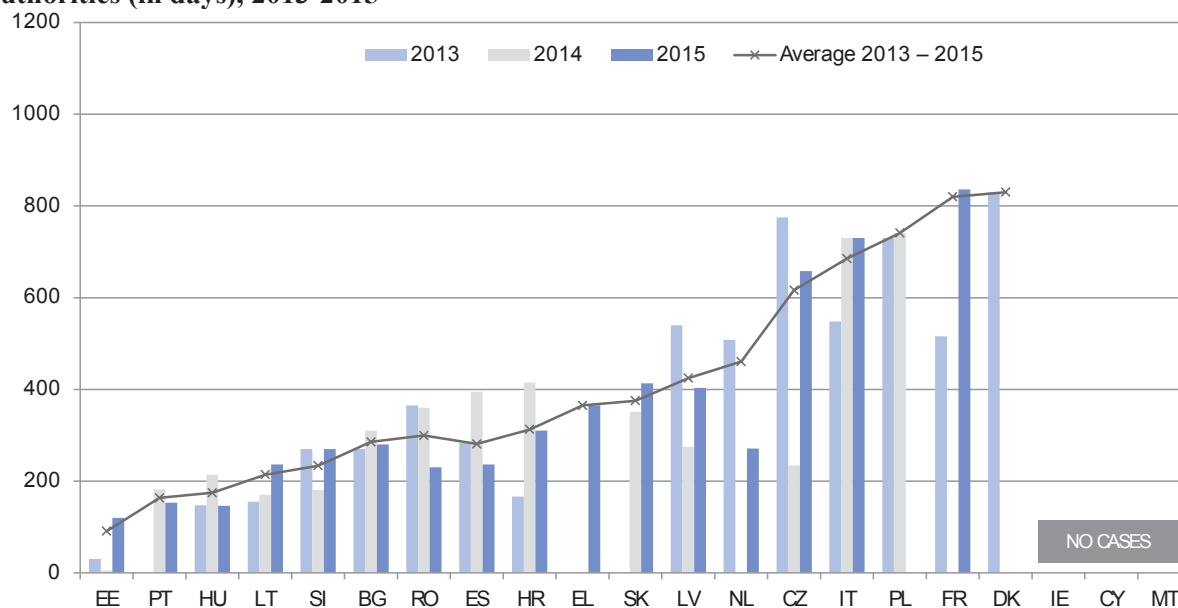
²¹ In Belgium, Austria, Finland, Sweden, and the United Kingdom certain administrative consumer protection authorities are not empowered to adopt decisions declaring an infringement of the relevant consumer rules and the scenario in Figure 29 is not considered applicable.

Figure 28: Time needed to resolve litigious civil and commercial cases, first instance/in days, 2010-2015²²



Source: EU Justice Scoreboard 2017

Figure 29: Time needed to resolve appeals relating to decisions of consumer protection authorities (in days), 2013-2015



Source: 2017 EU Justice Scoreboard

²² Litigious civil (and commercial) cases concern disputes between parties, e.g. disputes regarding contracts, under the CEPEJ methodology. By contrast, non-litigious civil (and commercial) cases concern uncontested proceedings, e.g. uncontested payment orders. Commercial cases are addressed by special commercial courts in some countries and by ordinary (civil) courts in others.

1.3. The Consumer Condition Index across Europe

Following the detailed analysis of the different indicators that feed into the Scoreboard's assessment of consumer conditions across Europe, this section presents a global picture based on the composite indicator encompassing these aspects, the Consumer Condition Index (CCI)²³. It also looks into the relationship between consumer conditions and other indicators at country level.

1.3.1. Consumer Conditions Index

In 2016, the average CCI for the EU-28 stood at 64.9 with a difference of 17.4 points between the best and worst-performing countries. This spread is the smallest for the Problems and Complaint indicator (9.3). The largest differences relate to retailers' participation in ADR mechanisms (55.0).

²³ See annex 6.2 for more details on the different indicators on which the CCI is based. The theoretic range of the CCI is from 0 to 100.

Table 1: Consumer Conditions Index (CCI), EU-28 (2016): overall and breakdown by pillar and indicator

CONSUMER CONDITIONS INDEX	EU28	MIN	MAX	RANGE
	64.9	53.3	70.7	17.4
PILLAR 1: KNOWLEDGE & TRUST – 33.3 %	59.3	44.0	66.7	22.7
Knowledge sub-pillar – 16.7 %	51.4	33.5	59.1	25.6
Consumers' knowledge of consumer rights	49.2	26.9	59.7	32.8
Retailers' knowledge of consumer rights	53.5	36.2	62.3	26.1
Trust sub-pillar – 16.7 %	67.2	46.6	79.0	32.3
Consumers' trust in organisations	72.2	46.4	85.3	38.9
Consumers' trust in redress mechanisms	46.8	23.7	61.7	38.0
Consumers' trust in product safety	78.0	53.3	94.4	41.0
Retailers' trust in product safety	76.4	51.7	92.0	40.3
Consumers' trust in environmental claims	65.8	36.1	82.5	46.4
Retailers' trust in environmental claims	68.8	53.7	86.1	32.4
Confidence in online shopping	72.4	40.8	87.6	46.9
Confidence in online selling	57.2	31.1	77.5	46.4
PILLAR 2: COMPLIANCE & ENFORCEMENT – 33.3 %	75.0	60.6	84.4	23.8
No unfair commercial practices reported by consumers	83.2	59.1	96.6	37.5
No unfair commercial practices reported by retailers	69.9	42.9	86.5	43.6
No other illicit practices	91.8	76.1	98.0	21.9
Compliance with consumer legislation reported by retailers	68.1	52.9	76.9	24.0
Enforcement of consumer and product safety legislation reported by retailers	62.0	43.2	78.7	35.5
PILLAR 3: COMPLAINTS & DISPUTE RESOLUTION – 33.3 %	60.3	50.3	78.6	28.3
Problems and complaints composite indicator	88.9	83.7	93.0	9.3
Retailers' participation in ADR mechanisms	31.8	12.3	67.2	55.0

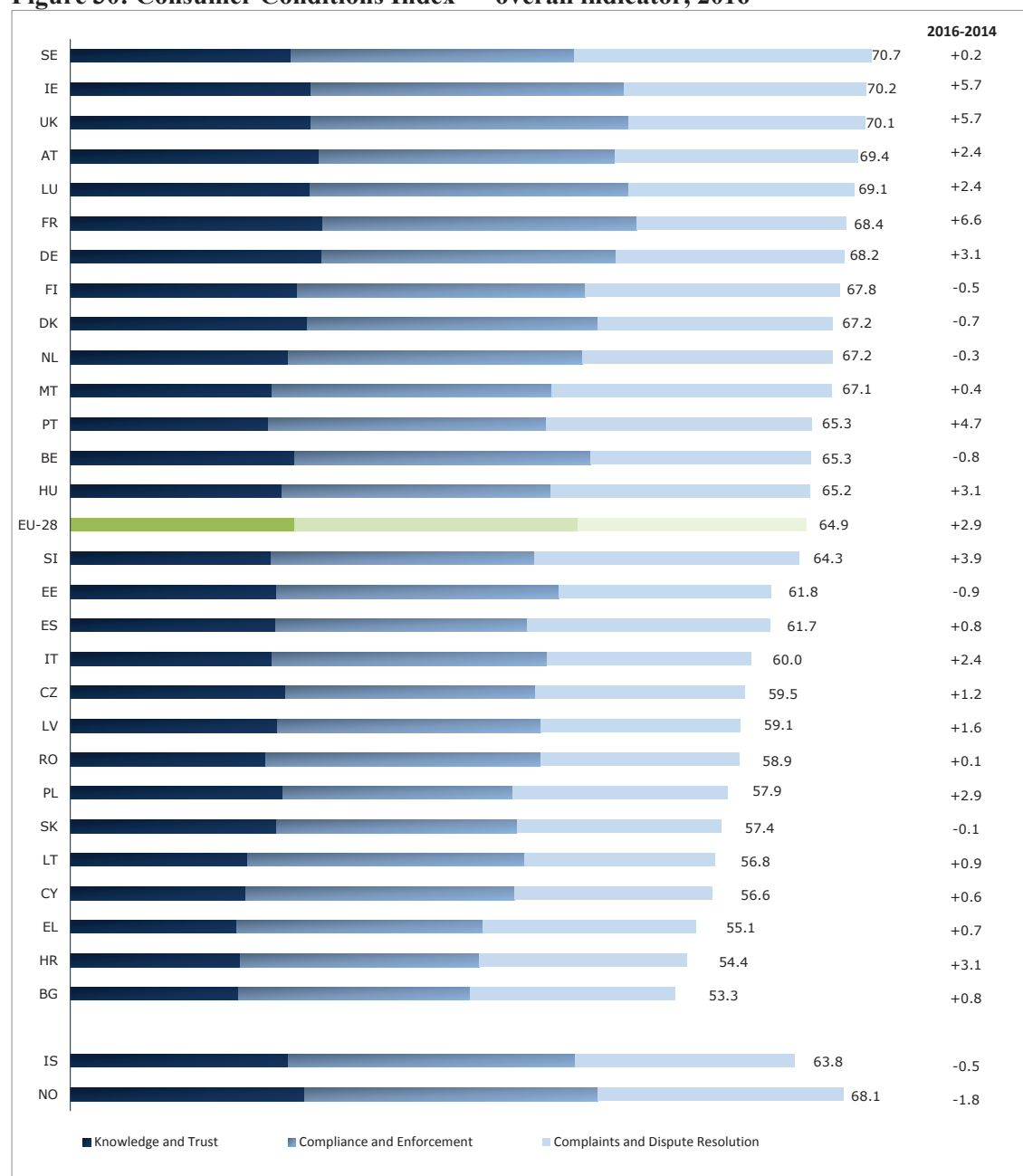
Source: Surveys on consumer and retailer attitudes towards cross-border trade and consumer protection.

Compared with the 2014 results, a clear improvement (+2.9) can be observed for the CCI at EU level, driven by the stronger increases in France (+6.6 points), the United Kingdom (+5.7), Ireland (+5.7), Portugal (+4.7) and Slovenia (+3.9) that over-compensate for the relative worsening of consumer conditions in Estonia (-0.9), Belgium (-0.8), Denmark (-0.7), Finland (-0.5), The Netherlands (-0.3) and Slovakia (-0.1). The CCI also declined in Iceland and in Norway (-0.5 and -1.8 respectively).

Countries with favourable consumer conditions include Sweden (70.7), Ireland (70.2), the United Kingdom (70.1), Austria (69.4) and Luxembourg (69.1), while the situation is less positive for consumers in Bulgaria (53.3), Croatia (54.4), Greece (55.1), Cyprus (56.6) and Lithuania (56.8), all ranking below the EU-28 average.

Interestingly, the average CCI by country correlates negatively with its dispersion²⁴ (-0.71) indicating that in those countries where consumer conditions are above average, these conditions apply more uniformly to all consumers.

Figure 30: Consumer Conditions Index — overall indicator, 2016



Source: Surveys on consumer and retailer attitudes towards cross-border trade and consumer protection, Consumer Conditions Index.

A closer look at the distribution of the variables encompassed by the CCI provides further insight on the:

²⁴ The dispersion is calculated as the standard deviation from the CCI across the consumers interviewed in the country.

- variability within each country of the indicators that the CCI is based upon
- differences between consumer environments in the different countries

This is illustrated in a boxplot²⁵ (Figure 31). In the boxplot the different indicators are expressed as a ratio of the indicator at EU-28 level²⁶. The following can be observed:

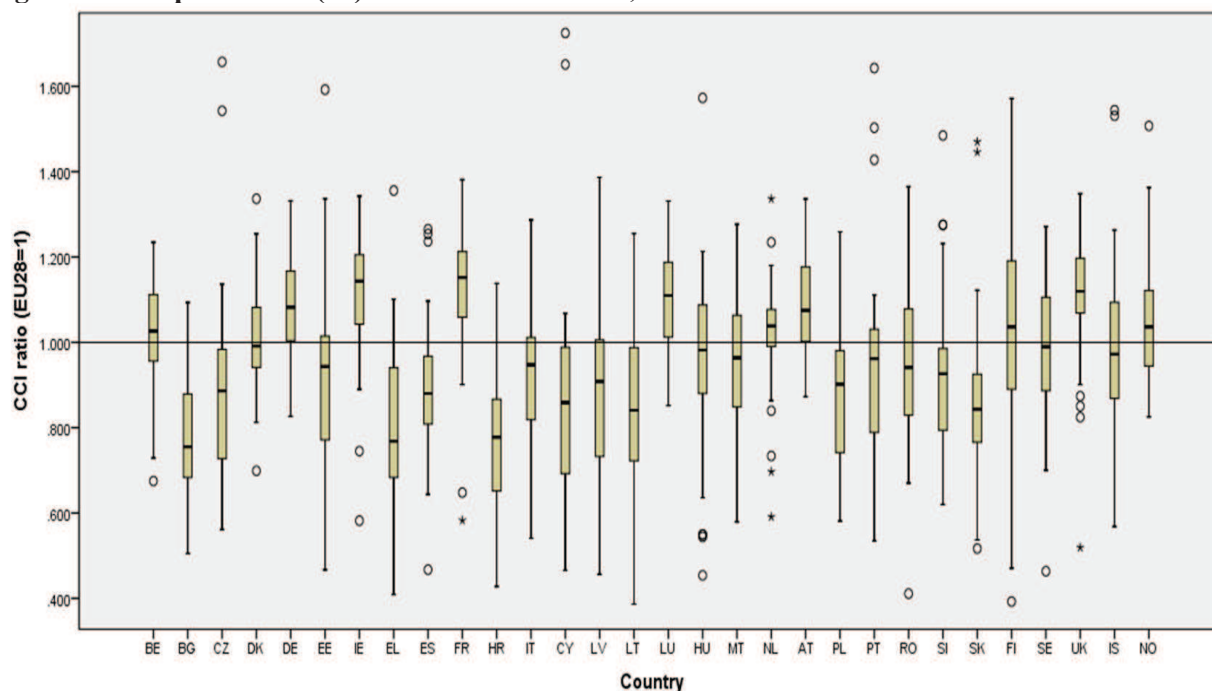
- In Germany, Ireland, France, Luxembourg, Austria and the United Kingdom, at least three quarters of the indicators used to calculate the CCI have values above the EU average.
- With few exceptions (e.g. the Netherlands), countries performing better than the EU average tend to have less variances between indicators.
- The opposite applies to Bulgaria, the Czech Republic, Greece, Spain, Croatia, Cyprus, Lithuania, Poland, Slovenia and Slovakia where at least three quarters of the CCI indicators are below the EU average.
- While the median of the CCI indicators by country tends to be negatively correlated with the interquartile range, meaning that countries with an overall better performance also tend to show less variability across indicators, there are cases in which the two measures seem to be independent. For example, while the Netherlands and Finland have a similar median value, the interquartile²⁷ range is almost three times higher for the Netherlands than it is for Finland. There are also no countries in which all the indicators are above the EU average.
- The wide variations in performance on different indicators in the same country suggest that there is still significant room for improvement by focusing on low-performing areas. The fact that most countries, even those with lower average scores, still outperform many other countries on selected indicators suggests that there is significant scope for mutual learning and exchanging best practices.

²⁵ In the boxplot the dark line in the middle of the box represents the median. The bottom of the box indicates the 25th percentile and the top of the box indicates the 75th percentile. The T-bars that extend from the boxes are called inner fences or whiskers. These extend to 1.5 times the height of the box or, if no case/row has a value in that range, to the minimum or maximum values. The circles are outliers, values that do not fall in the inner fences. Outliers are extreme values. The stars are extreme outliers. These represent cases/rows that have values greater than three times the height of the boxes. In Figure 31, some of the outliers are not shown as to avoid distorting the box.

²⁶ When the ratio is higher than 1 (lower than 1) it means that the value for that indicator is in the country higher (lower) than in the EU.

²⁷ The interquartile range is the difference between the 25th and the 75th percentile.

Figure 31: Boxplot on the (37) basic CCI indicators, 2016



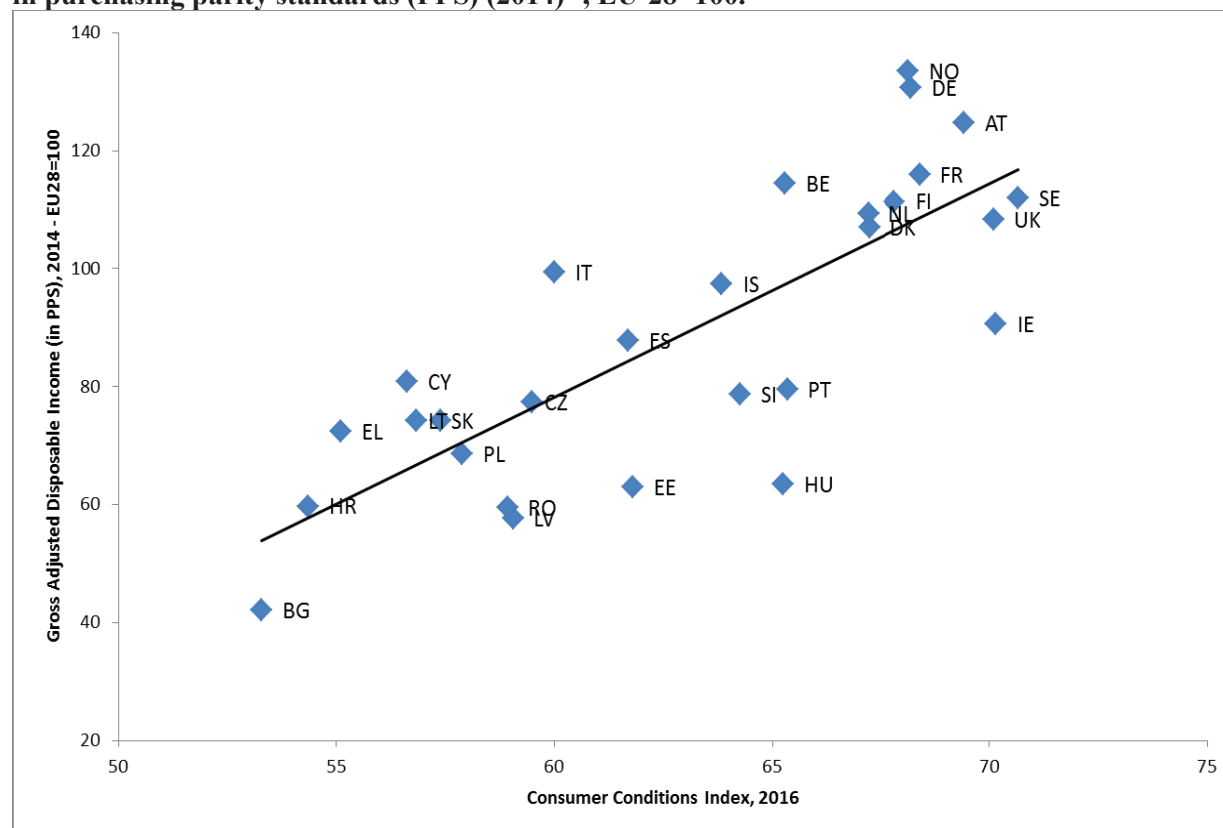
Source: Surveys on consumer and retailer attitudes towards cross-border trade and consumer protection.

1.3.2. The Consumer Conditions Index in relation to other indicators

There is growing evidence that consumer conditions influence the economic and social environment, as highlighted in previous Scoreboards.

A direct causal link may be difficult to establish, but there are elements suggesting that when consumers are protected by solid rights and enjoy an environment where these rights are respected (including through effective enforcement) this is also positive for the business environment. Under such circumstances, consumers tend to push businesses to strive for better quality and innovation, which in turn can be a driver of economic growth. The figures below show the correlation between CCI and several social, economic and governance indicators by country.

Figure 32: Consumer conditions Index (2016) and gross adjusted disposable income per capita in purchasing parity standards (PPS) (2014)²⁸, EU-28=100.



Source: Eurostat for Gross Adjusted Disposable Income in PPS (data not available for Luxembourg and Malta).

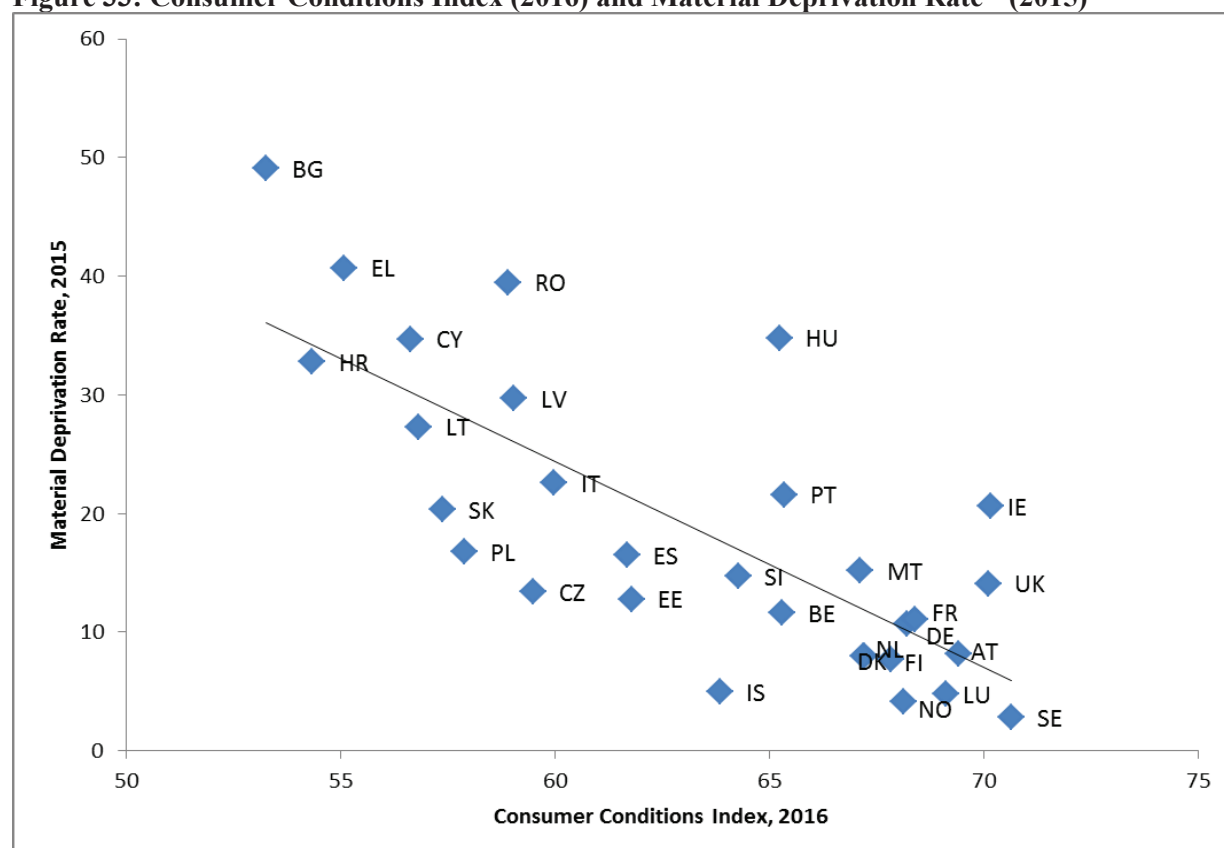
The CCI is strongly correlated with the Gross Adjusted Disposable Income per capita (0.79) which is an indicator of consumption affordability in different countries.

By contrast, as shown in Figure 33 a strong negative correlation can be observed between the CCI and the Material Deprivation Rate (-0.76) which measures the percentage of the population that is not able to afford some basic items considered by most people to be desirable or even necessary to lead an adequate life.

In view of these correlations, it seems likely that there is a loop effect in the causal link, since, on the one hand, a functioning consumer environment acts as a driver for economic wellbeing, but on the other hand, material deprivation negatively affects consumers' empowerment, i.e. their ability to exercise their consumer rights, and negatively affects their general attitude to consumption.

²⁸ The indicator measures how much is available to households for saving and spending, adjusted for free public services (such as health and education) and is expressed in purchasing parity standards (PPS) to take account of differences in price levels across Member States.

Figure 33: Consumer Conditions Index (2016) and Material Deprivation Rate²⁹ (2015)



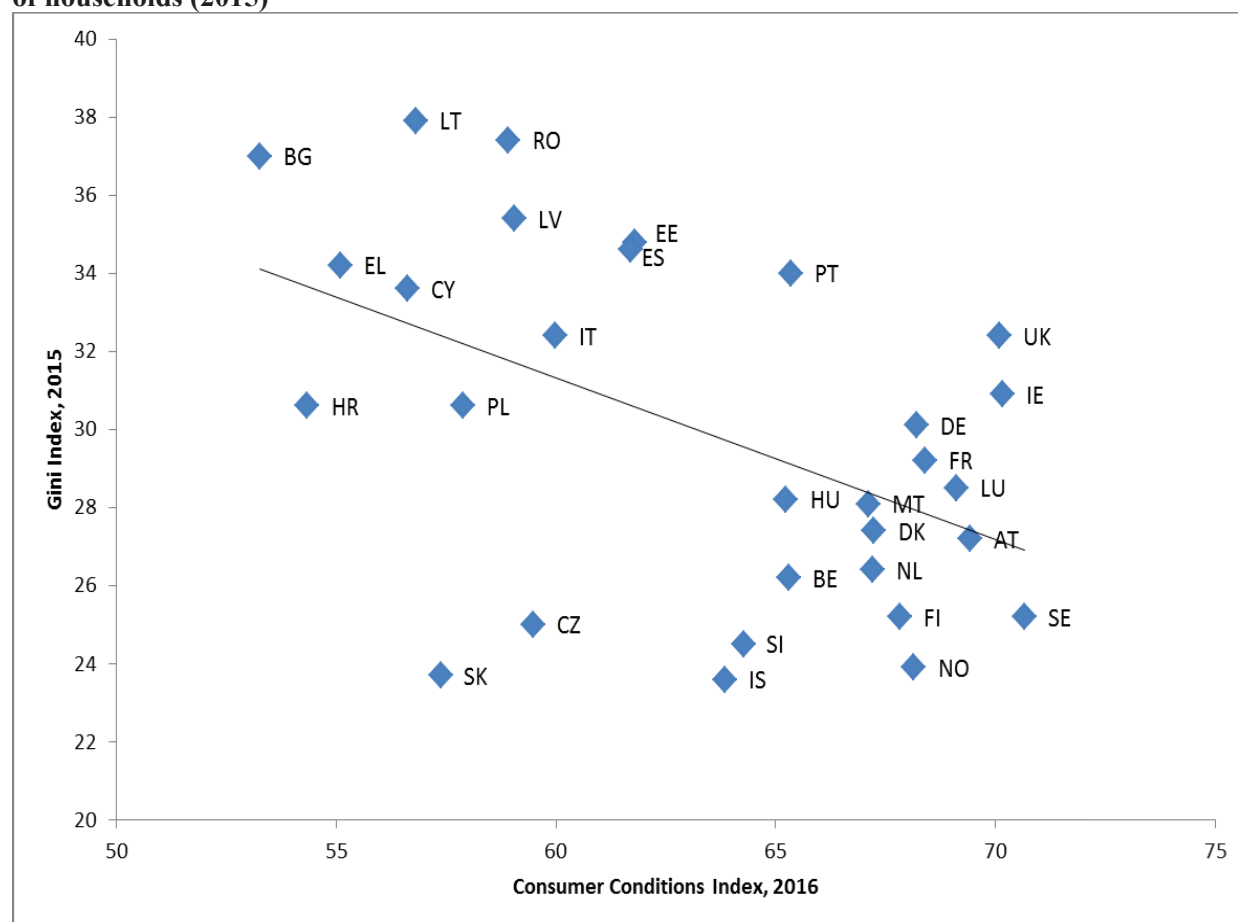
Source: Eurostat for Material Deprivation Rate.

The CCI is also negatively correlated (-0.50) with the Gini index, which measures income distribution within a country. The negative correlation suggests that in countries with worse than average consumer conditions, the income is more concentrated. It is, however important to note that the correlation is less strong compared to what can be observed for other economic indicators, as shown in figure 34³⁰.

²⁹ The indicator measures the percentage of the population that cannot afford at least three of the following items: paying rent, mortgage or utility bills; keeping their home adequately warm, facing unexpected expenses, eating meat or protein regularly; going on holiday; a television set; a washing machine; a car; a telephone.

³⁰ In many instances, countries with similar CCI levels show marked differences in terms of Gini index.

Figure 35: Consumer Conditions Index (2016) and Gini index on equivalised disposable income of households (2015)³¹

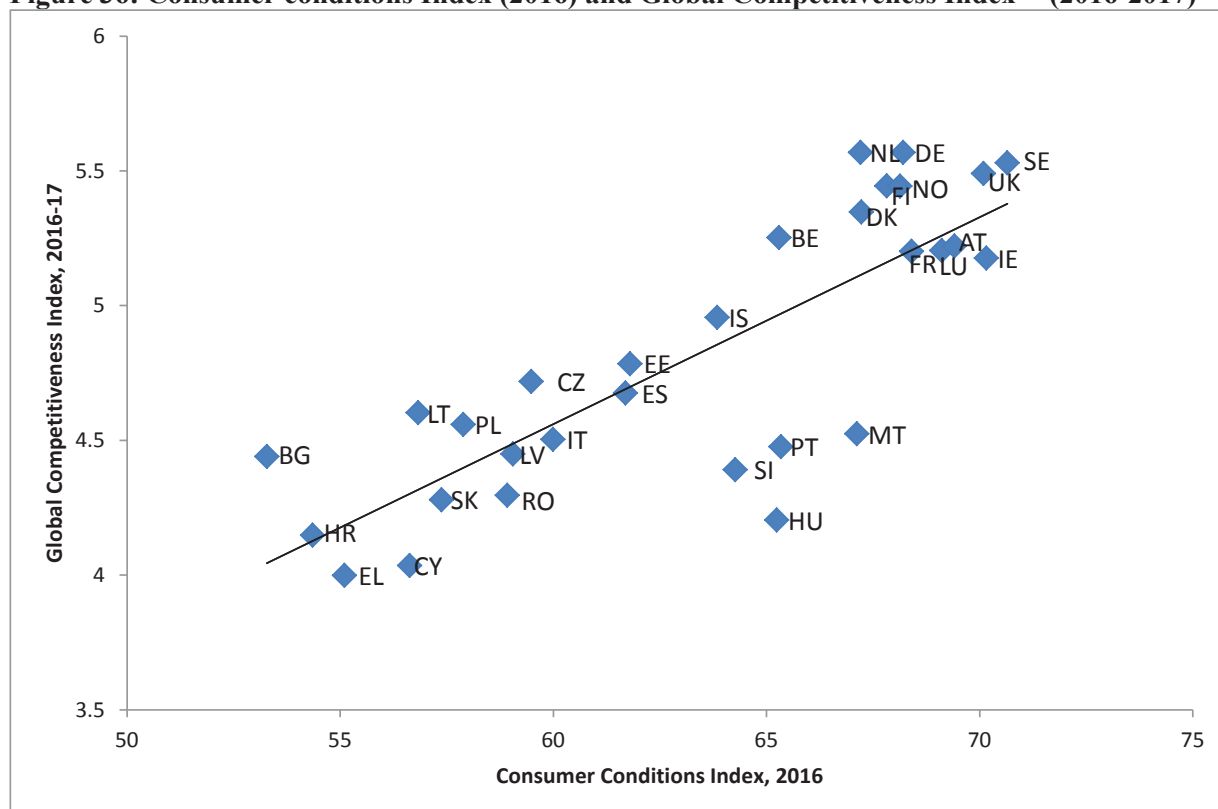


Source: Eurostat for Gini Index.

In addition, the CCI is highly correlated (0.81) with the Global Competitiveness Index (GCI), which supports the idea that consumer protection is a driver of, rather than an obstacle to, competitiveness. In this context it is interesting to note that of the different indicators that form the CCI ‘trust’ (0.8) and ‘compliance & enforcement’ (0.73) correlate most strongly with the GCI.

³¹ The Gini index is defined as the relationship between cumulative shares of the population arranged according to the level of equivalised disposable income, and the cumulative share of the equivalised total disposable income they receive. A Gini coefficient of zero expresses perfect equality, where all values are the same (e.g. where everyone has the same income). Conversely, a Gini index of 100 expresses maximum inequality between values (e.g. for a large number of people, where one person accounts for all income or consumption, and the others for none, the Gini coefficient will be very nearly one).

Figure 36: Consumer conditions Index (2016) and Global Competitiveness Index ³² (2016-2017)

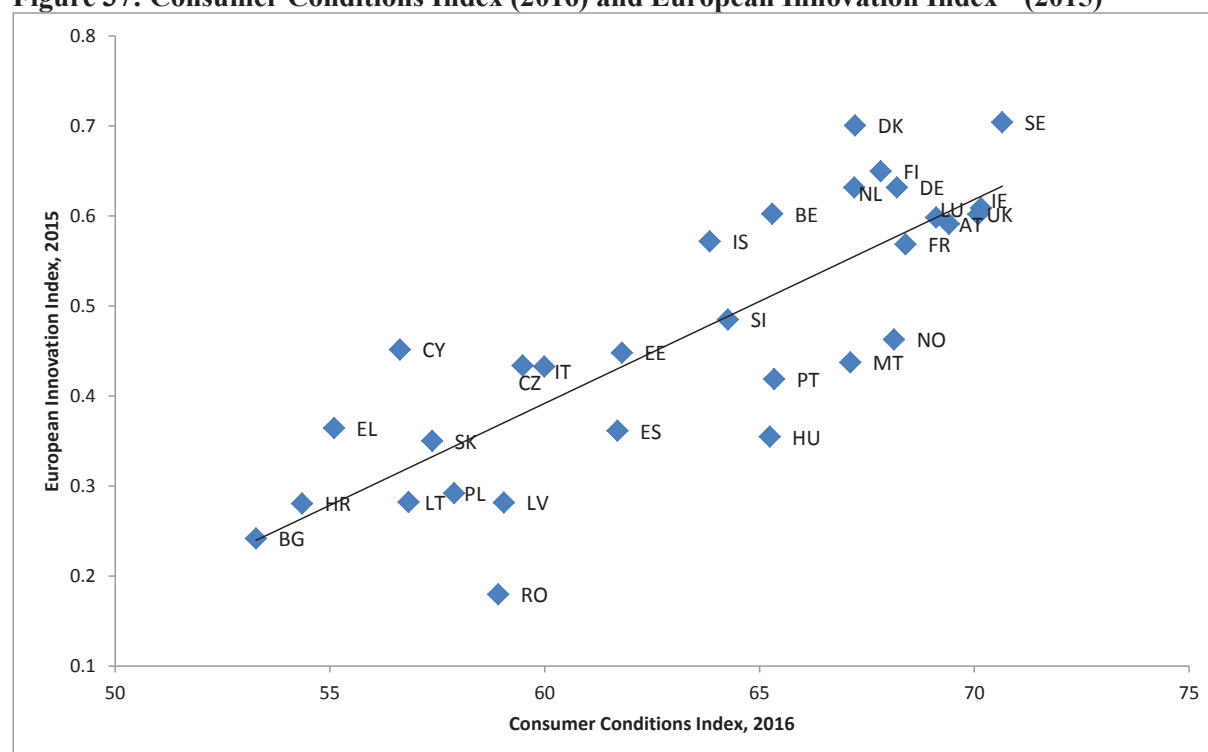


Source: World Economic Forum for Global Competitiveness Index (<https://www.weforum.org/reports/the-global-competitiveness-report-2016-2017-1>).

Consumer conditions also tend to be positively linked to a country's capacity to innovate, as the high correlation (0.83) between the CCI and the European Innovation Index shows (Figure 37).

³² The Global Competitiveness Index is a composite indicator (based on 12 components) calculated based on 144 countries.

Figure 37: Consumer Conditions Index (2016) and European Innovation Index³³ (2015)

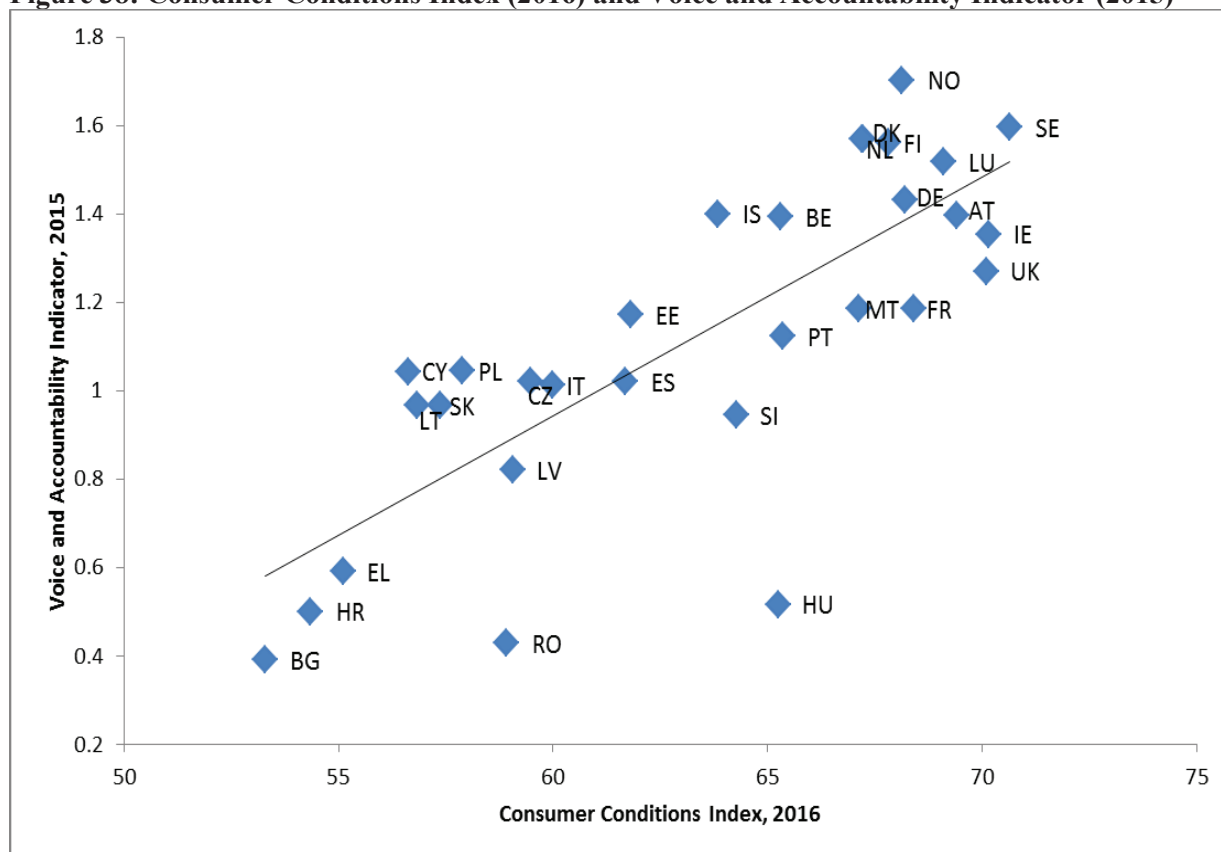


Source: European Innovation Scoreboard 2016 for European Innovation Index
(http://ec.europa.eu/growth/industry/innovation/facts-figures/scoreboards_en).

It also appears that there is a positive relationship between consumer conditions and the quality of governance. The CCI is very highly correlated with the World Bank Governance Indicators, particularly with those related to Voice and Accountability (0.78) and to Rule of Law (0.84). This strongly suggests that the quality of rule-making and related enforcement in a country impacts on consumer conditions.

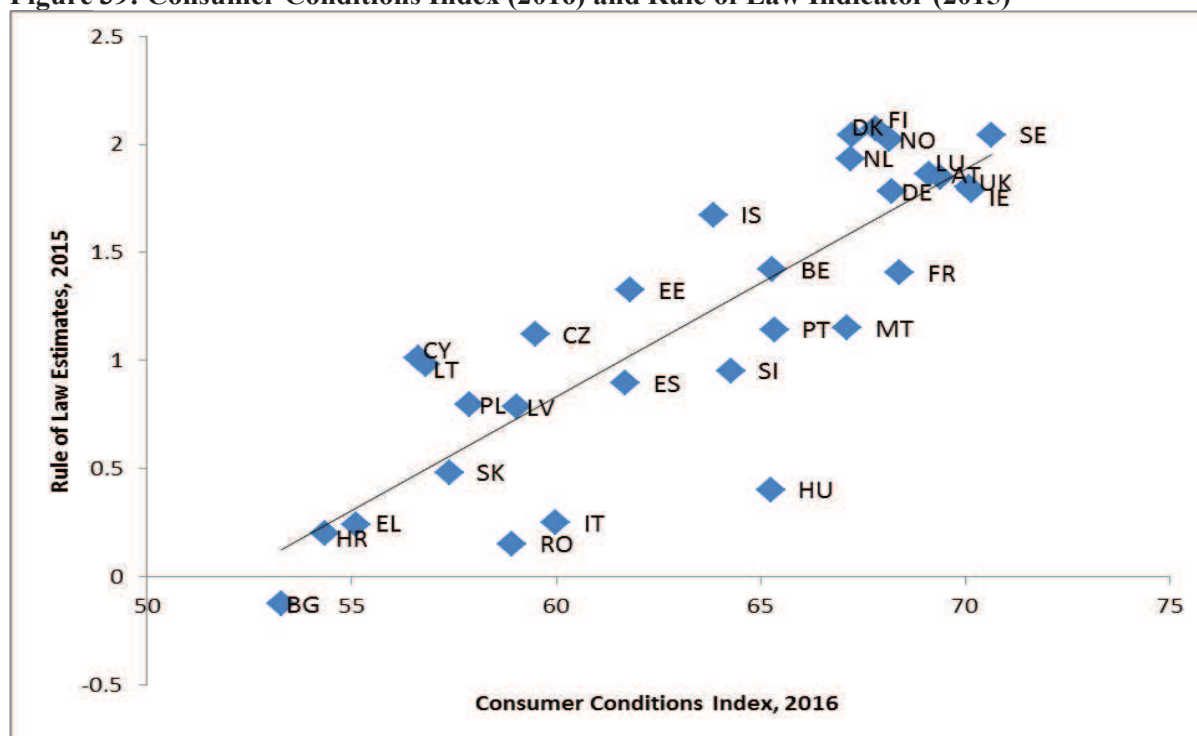
³³ The European Innovation Index is a composite indicator for the average innovation performance of EU Member State.

Figure 38: Consumer Conditions Index (2016) and Voice and Accountability Indicator (2015)



Source: Worldwide Governance Indicators, World Bank 2015, for Voice and Accountability Indicator (<http://databank.worldbank.org/data/reports.aspx?source=worldwide-governance-indicators#>).

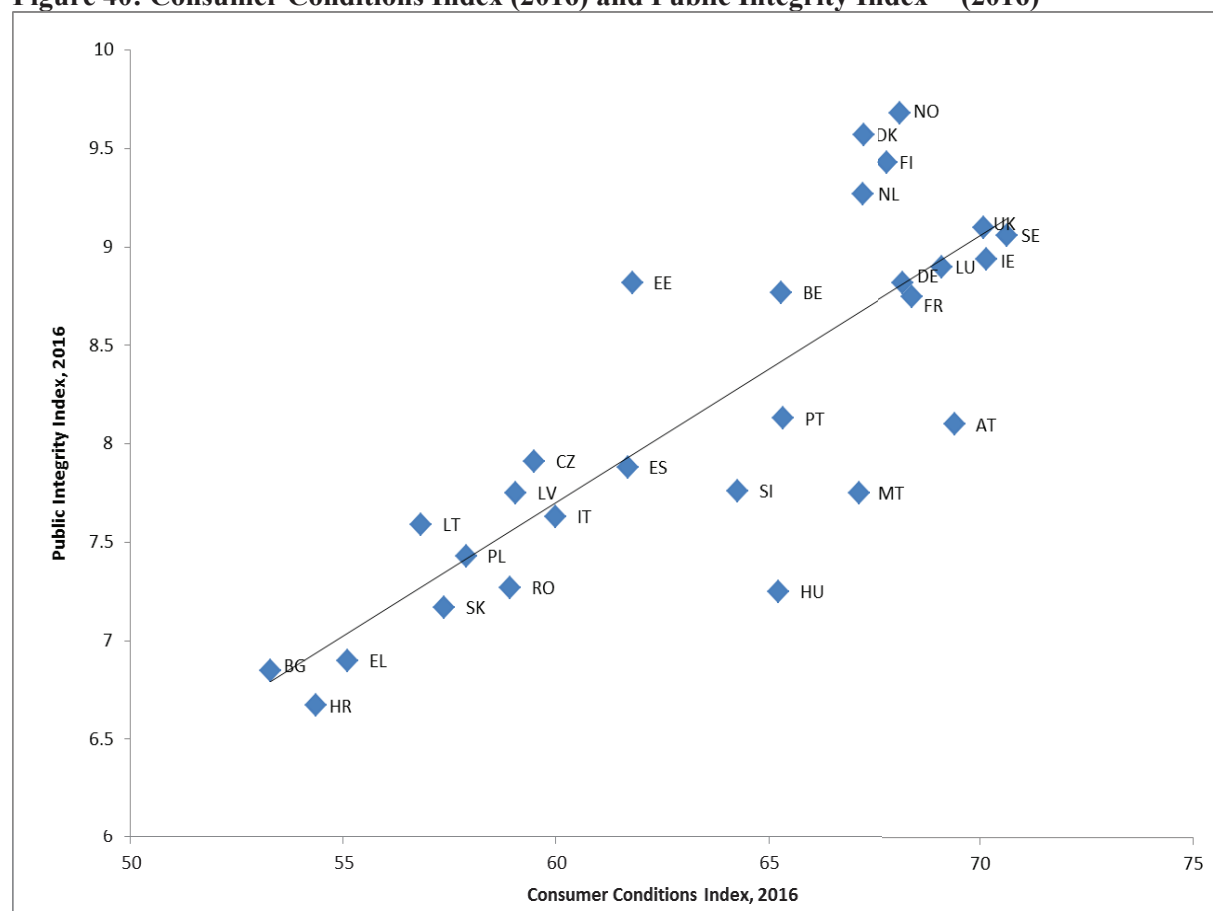
Figure 39: Consumer Conditions Index (2016) and Rule of Law Indicator (2015)



Source: Worldwide Governance Indicators, World Bank 2015, for Rule of Law (<http://databank.worldbank.org/data/reports.aspx?source=worldwide-governance-indicators#>).

Lastly, there is evidence that countries with a favourable consumer environment also score higher in terms of public integrity, as shown by the high correlation between the CCI and the Public Integrity Index. The CCI components that correlate most strongly with this integrity indicator are ‘trust’ and the ‘compliance & enforcement’ (0.75 and 0.79, respectively).

Figure 40: Consumer Conditions Index (2016) and Public Integrity Index³⁴ (2016)



Source: European Research Centre for Anti-Corruption and State-Building for Public Integrity Index
<http://integrity-index.org/>.

The significant correlation of the CCI with the Corruption Perception Index³⁵ (0.81) lends further support to the hypothesis that better governance leads to better consumer conditions.

³⁴ The Public Integrity Index assesses a society’s capacity to control corruption and ensure that public resources are spent without corrupt practices.

³⁵ The Corruption index is a perception based indicator that focusses on the corruption level in different countries. Source: Transparency International. <http://www.transparency.org/cpi2015#downloads>

2. DETERMINANTS OF CONSUMER CONDITIONS

Since 2013, the Consumer Conditions Scoreboard looks at the links between the indicators observed through the surveys and a set of socio-demographic factors. This section presents the results of a multivariate analysis³⁶ that estimates the effect of each individual socio-demographic characteristic with the other characteristics held constant. Table 2 summarises the results of this analysis³⁷.

Perceived vulnerability has the clearest link with consumer conditions

By comparing estimated averages across the different dependent variables, the following conclusions can be drawn:

- **Despite some differences, vulnerability affects most clearly consumer conditions irrespective of the reason for feeling vulnerable (i.e. due to their socio-demographic status or the complexity of the offer/terms and conditions).** Consumers who perceive themselves as vulnerable have less trust in organisations, in product safety and in environmental claims. They are more likely to report having been exposed to unfair commercial practices and online shopping problems. In addition, when vulnerability stems from socio-demographic characteristics, both knowledge of consumer rights, as well as numerical skills are lower compared to other

³⁶ The analysis has been performed on the micro-data from the 2016 Survey on ‘Consumer attitudes towards cross-border trade and consumer protection’. It covers the 28 EU Member States. A Poisson regression model was used for the following dependent variables: knowledge of consumer rights, trust in organisations, confidence in online shopping, perception of redress mechanisms, (no) exposure to unfair commercial practices, (no) experience of other illicit commercial practices and numerical skills. A logit regression model was used for the remaining dependent variables: trust in product safety, trust in environmental claims. The composite indicator on problems and complaints was instead modelled through linear regression (assuming that the variable is numerical). In all models a control variable on the region of residence of the people interviewed (northern EU, southern EU, eastern EU and western EU) was included.

³⁷ The table shows the estimated predicted probabilities/scores of the model for each dependent variable according to the different values of the independent variable (these estimates do not necessarily match with the simple cross-tabulations that do not take into account the interaction with the remaining independent variables). The averages in the table are statistically significantly different (at 5 % level) between two categories only when the pair of categories do not have any letter in common (see the column adjacent to the right); otherwise (if the two categories share a letter), the difference is not statistically significant. When a category is associated with a blank it means that it is statistically significantly different from all the other categories. The letters used in the table have no meaning as they are only used for comparing categories. For example, the estimated scores for knowledge of consumer rights are equal to 0.51 for men and 0.48 for women. This difference is statistically significant (both categories are associated with a blank). Conversely, the estimated predicted probabilities for trust in product safety are equal to 0.77 for low educated persons and 0.79 for high educated persons (but the difference is not statistically significant as both categories share the letter ‘A’). Similarly, the estimated predicted probabilities for trust in environmental claims are equal to 0.68 for daily internet users and 0.67 for weekly internet users (but the difference is not statistically significant as both categories share the letter ‘C’). Given that estimated predicted probabilities/scores are all standardised (with a range from 0 to 1), they can be compared across both rows and columns.

groups. Similarly, consumers with vulnerability issues related to their socio-economic conditions score lower on the problems and complaint indicator.

- **Likewise, severe financial problems³⁸ are linked with lower trust in organisations, less confidence in online shopping and in product safety,** and poorer numerical skills. In addition, these consumers are somewhat more likely to report having been exposed to unfair commercial practices and shopping problem.
- **The use of internet** has some influence on consumer conditions, even if the link between the frequency of internet usage (daily, weekly, monthly, etc.) and the different variables analysed does not always follow a clear linear pattern. As one may expect, there is a very strong positive link between the use of internet and confidence in online shopping. Internet users are also slightly more likely to report having been exposed to unfair commercial practices and shopping problems, which is a plausible effect of being more active (online) shoppers.
- **Consumers with more language skills** tend to be more circumspect. Generally, knowledge of languages seems to be negatively correlated with trust (in organisations, product safety and environmental claims). Even considering only respondents whose mother tongue is the national or regional language spoken in the area they live in³⁹, this negative effect of the number of spoken languages on trust still holds. Also the more languages consumers speak, the more likely they are to report unfair commercial practices and shopping problems. These consumers on the other hand tend to have better numerical skills and better knowledge of their rights. They are possibly better prepared and more inclined to defend their rights as consumers.
- **Respondents whose mother tongue is different from the official language(s) in their area** of residence have less knowledge of consumer rights.
- **The influence of numerical skills** on consumer conditions is not straightforward. Contrary to what one would expect, persons with low numerical skills appear more knowledgeable of their rights as consumers. On the other hand, better numerical skills are associated with higher confidence in online shopping.
- **Trust in organisations and confidence in online shopping increases with the level of education.** Persons with high education are also more likely to report having come across unfair commercial practices.
- **Employment status** bears some influence on consumer conditions but to a far lesser extent than can be observed for other socio-demographic factors. White-collar are more knowledgeable of their consumer rights, while self-employed are more likely to have been exposed to unfair commercial practices and other shopping problems. Self-employed also show less trust in organisations and in product safety. Blue collars and retired persons are less confident in online shopping.

³⁸ Refers to those who have declared that their financial situation is very difficult.

³⁹ Respondents whose mother tongue is not the official national or regional language of the area where they live are excluded.

- **Men** tend to have a better knowledge of their rights as consumers, be more confident in online shopping and more trustful in product safety and in environmental claims. They also tend to have higher numerical skills. On the other hand, women are less likely to report shopping problems.
- **The area of residence (rural, small and large town)** has a limited impact on consumer conditions even though consumers living in large towns report somewhat higher levels of exposure to shopping problems. Consumers living in rural areas tend to have less trust in product safety.
- **Finally, confidence in online shopping declines with age.** Moreover, persons over 55 show lower levels of trust in organisations and in product safety while those between 18 and 34 years old are more likely to trust environmental claims.

Table 2: Estimated predicted probabilities/scores related to consumer conditions broken down by different socio-demographic groups (2016)

	Knowledge of consumer rights		Trust in organisations		Confidence in online shopping		Trust in redress mechanism		No Exposure to UCPs		No experience of other illicit practices		Numerical skills		Trust in product safety		Trust in environmental claims		Problems and complaints indicator	
Age																				
18-34	0.48	A	0.77		0.72		0.51		0.80	B	0.89	A	0.73	A	0.81	B	0.70		0.89	AB
35-54	0.50	B	0.74		0.68		0.49	B	0.78	A	0.90	AB	0.72	A	0.80	B	0.67	A	0.88	A
55-64	0.48	A	0.70	A	0.63		0.43	A	0.80	B	0.91	B	0.72	A	0.77	A	0.65	A	0.91	C
65+	0.52	B	0.68	A	0.54		0.45	AB	0.80	AB	0.92	B	0.67		0.75	A	0.64	A	0.91	BC
Gender																				
Female	0.48		0.73	A	0.65		0.46		0.80	A	0.92		0.70		0.78		0.66		0.90	
Male	0.51		0.73	A	0.68		0.49		0.79	A	0.89		0.73		0.80		0.68		0.89	
Education																				
Low (ISCED 0-2)	0.49	A	0.70		0.57		0.46	AB	0.81	A	0.91	AB	0.70	A	0.77	A	0.65	A	0.91	A
Medium (ISCED 3-4)	0.49	A	0.73		0.66		0.49	B	0.80	A	0.91	B	0.71	A	0.79	A	0.68		0.90	A
High (ISCED 5-8)	0.50	A	0.75		0.70		0.46	A	0.78		0.89	A	0.72	A	0.79	A	0.66	A	0.88	
Employment status																				
Self-employed	0.48	B	0.69	A	0.67	B	0.47	B	0.74		0.88	A	0.76	B	0.75	A	0.65	AB	0.90	AB
White collar	0.51		0.73	B	0.68	B	0.51	C	0.80	A	0.90	B	0.70	A	0.81	C	0.70	C	0.89	A
Blue Collar	0.48	B	0.71	AB	0.61	A	0.47	B	0.80	A	0.90	AB	0.71	A	0.78	AB	0.63	AB	0.89	A
Student	0.44	A	0.78	C	0.70	B	0.47	ABC	0.82	A	0.92	BC	0.77	B	0.78	ABC	0.65	ABC	0.92	BC
Unemployed	0.48	AB	0.74	B	0.70	B	0.37		0.80	A	0.91	BC	0.73	AB	0.77	AB	0.64	AB	0.92	C
Seeking a job	0.47	AB	0.74	BC	0.67	B	0.43	AB	0.81	A	0.94	C	0.70	A	0.79	BC	0.61	A	0.93	C
Retired	0.47	AB	0.74	BC	0.61	A	0.43	A	0.79	A	0.92	C	0.71	A	0.79	BC	0.66	BC	0.90	ABC
Internet use																				
Daily	0.47	A	0.74	C	0.71		0.48	B	0.78	A	0.90	A	0.73	C	0.79	B	0.68	C	0.90	
Weekly	0.55		0.73	C	0.69		0.51	C	0.80	B	0.91	A	0.68	AB	0.80	B	0.67	BC	0.86	A
Monthly	0.63	B	0.61	A	0.51	A	0.47	BC	0.80	AB	0.89	A	0.72	BC	0.70	A	0.54	A	0.86	A
Hardly ever	0.59	B	0.67	AB	0.44	A	0.43	AB	0.82	B	0.92	A	0.68	ABC	0.75	AB	0.61	AB	0.86	A
Never	0.47	A	0.69	B	0.21		0.39	A	0.88		0.95		0.66	A	0.79	B	0.61	A	0.93	
Living area																				
Rural area	0.49	A	0.74	B	0.66	A	0.49	A	0.80	A	0.91	A	0.71	A	0.77		0.67	A	0.91	
Small town	0.50	A	0.72	A	0.66	A	0.48	A	0.79	A	0.91	A	0.71	A	0.79	A	0.66	A	0.88	A
Large town	0.50	A	0.73	AB	0.67	A	0.46		0.79	A	0.89		0.72	A	0.80	A	0.68	A	0.90	A
Language																				
One	0.49	A	0.74		0.67	A	0.49		0.82		0.91	B	0.69		0.80		0.70		0.89	AB
Two	0.50	AB	0.72	A	0.67	A	0.47	A	0.77		0.91	B	0.74		0.78	A	0.65		0.90	B
Three	0.50	AB	0.70	A	0.64		0.44	A	0.74		0.88	A	0.76	A	0.77	A	0.59	A	0.89	AB
Four or more	0.52	B	0.66		0.67	A	0.37		0.70		0.87	A	0.78	A	0.74		0.56	A	0.87	A
Financial difficulty																				
Very difficult	0.47	A	0.66		0.56		0.45	AB	0.78	A	0.87		0.66		0.76	A	0.63	A	0.87	A
Fairly difficult	0.48	A	0.72	A	0.66	A	0.48	AB	0.78	A	0.90	A	0.71	A	0.78	A	0.67	AB	0.90	B
Fairly easy	0.50	B	0.74		0.68	B	0.48	B	0.80	B	0.91	B	0.71	A	0.80	B	0.68	B	0.91	B
Very easy	0.50	AB	0.71	A	0.67	AB	0.45	A	0.80	B	0.91	AB	0.76		0.81	B	0.64	A	0.85	A
Numerical skills																				
High	0.49	A	0.73	A	0.68		0.43		0.79	A	0.91	A			0.79	A	0.65		0.89	
Medium	0.48	A	0.75		0.65	A	0.54	A	0.80	A	0.90	A			0.78	A	0.69	A	0.91	
Low	0.52		0.71	A	0.64	A	0.54	A	0.79	A	0.90	A			0.79	A	0.69	A	0.86	
Vulnerability sociodemo																				
Very vulnerable	0.48	A	0.66		0.60	A	0.48	A	0.71		0.83		0.67		0.76	A	0.63	A	0.85	A
Somewhat vulnerable	0.46	A	0.69		0.61	A	0.49	A	0.76		0.87		0.70		0.77	A	0.62	A	0.85	A
Not vulnerable	0.50		0.75		0.69		0.47	A	0.81		0.93		0.72		0.81		0.69		0.92	
Vulnerability complexity																				
Very vulnerable	0.49	A	0.67		0.59	A	0.41	A	0.71	A	0.84		0.70	A	0.75	A	0.61	A	0.89	AB
Somewhat vulnerable	0.49	A	0.72	A	0.62	A	0.44	A	0.73	A	0.88		0.72	A	0.78	A	0.64	A	0.87	A
Not vulnerable	0.49	A	0.74	A	0.68		0.48		0.81		0.92		0.71	A	0.80		0.68		0.90	B
Mother tongue																				
Official national or regional language	0.49		0.73	A	0.66	A	0.48	A	0.79	A	0.91	A	0.72	A	0.79	A	0.67	A	0.90	A
Other language	0.44		0.72	A	0.70	A	0.46	A	0.79	A	0.90	A	0.67	A	0.76	A	0.64	A	0.89	A

Source: Survey on consumer attitudes towards cross-border trade and consumer protection (2016).

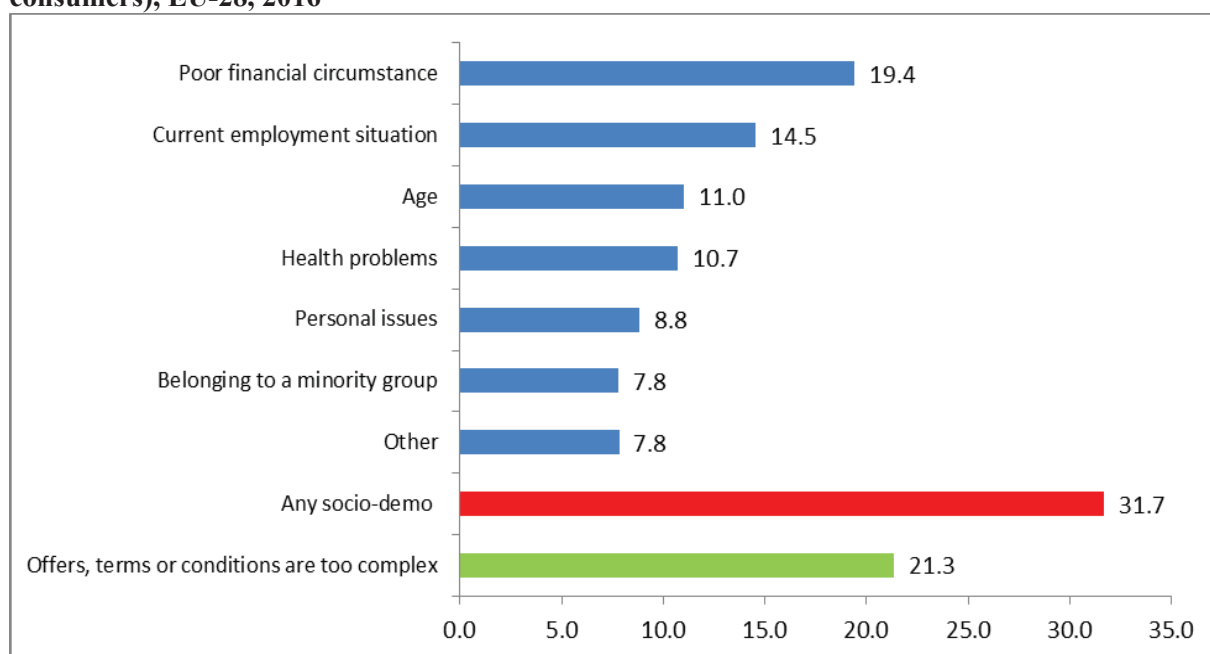
Note: Values in the table represent estimated predicted probabilities/scores of the multivariate models. Letters enable comparison of predicted probabilities/scores within the same socio-demographic characteristic. Values sharing a letter are not significantly different at the 5 % level.

Almost one third of EU consumers feel vulnerable, mainly for issues related to their financial and employment status

Consumers mainly feel vulnerable for reasons that are related to their socio-demographic situation (31.7%) such as age, employment status or health problems. Aspects that determine the economic conditions of consumers such as poor financial circumstances (19.4 %) and current employment situation (14.5 %) are particularly relevant in this context. The complexity of offers / terms and conditions also induces a perception of vulnerability (21.3 %).

A similar pattern emerged from a study on consumer vulnerability⁴⁰ that the Commission commissioned to examine the scope and the drivers of consumer vulnerability in the EU. The large scale study focussed on a number of key markets and covered all 28 Member States, Norway and Iceland.

Figure 41: Respondents who feel vulnerable as consumers due to various reasons (% of consumers), EU-28, 2016⁴¹



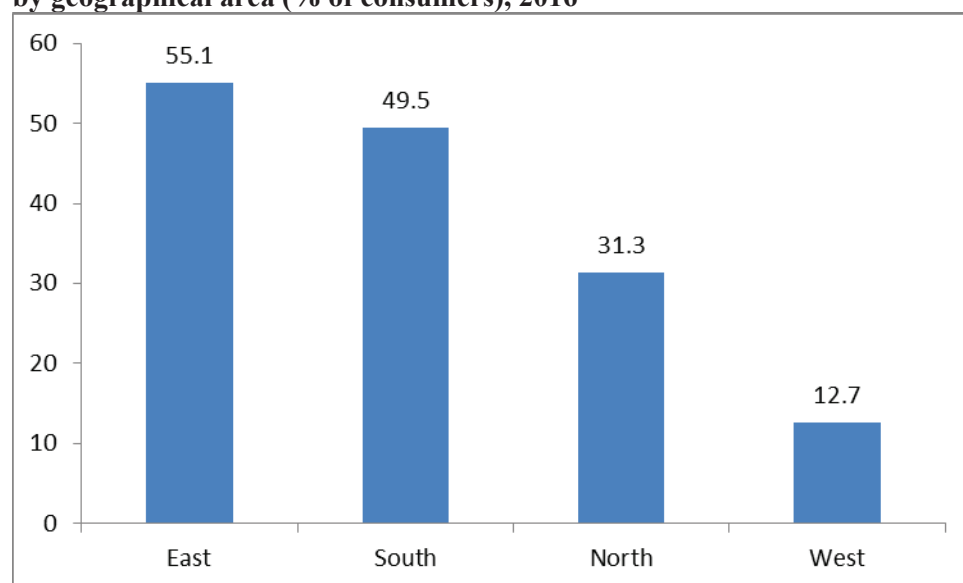
Source: Survey on consumer attitudes towards cross-border trade and consumer protection (2016).

The proportion of self-assessed vulnerability linked to socio-demographic characteristics is higher in the eastern part of the EU where 55 % of consumers perceive themselves as vulnerable. This is slightly above the proportion in the South (49.5 %) and well above what is declared in the North (31.3 %) and in the West (12.7 %).

⁴⁰ http://ec.europa.eu/consumers/consumer_evidence/market_studies/vulnerability/index_en.htm

⁴¹ ‘The following statements are about disadvantages that consumers may have when dealing with retailers. To what extent do they apply to you personally? You feel vulnerable or disadvantaged when choosing and buying goods or services...’ The question foresees multiple answers.

Figure 42: Persons feeling vulnerable as consumers for one or more socio-demographic factors, by geographical area (% of consumers), 2016



Source: Survey on consumer attitudes towards cross-border trade and consumer protection (2016).

Additional analyses were done to better understand the relationship between consumer conditions and consumer self-assessed vulnerability and how that relationship differs from one region of the EU to the other. They found that the link between consumer conditions and self-assessed vulnerability tends to be stronger in regions where vulnerability is less prevalent. This means that in western (especially) and northern EU countries, consumers who perceive themselves as vulnerable are more likely to face inferior consumer conditions (compared to the general population) than in southern or eastern EU countries. Results from the multivariate analysis performed by geographic area show that the difference in the scores on consumer conditions between the (self-declared) very vulnerable and not vulnerable consumer categories in the West and in the North of the EU is, respectively, more than three times and roughly twice as high as the differences we observe between the two categories in the East and the South.

Table 3: Estimated marginal effect from the multivariate models (not vulnerable-very vulnerable), 2016.⁴²

<i>Consumer conditions</i>	<i>EAST</i>	<i>WEST</i>	<i>SOUTH</i>	<i>NORTH</i>
<i>Knowledge of consumers rights</i>	0.033	0.000	0.000	0.092
<i>Trust in organisations</i>	0.057	0.132	0.064	0.000
<i>Confidence in online shopping</i>	0.035	0.091	0.000	0.118
<i>Trust in redress mechanism</i>	0.000	0.079	0.000	0.000
<i>No exposure to unfair commercial practicess</i>	0.058	0.211	0.069	0.057
<i>No experience of other illicit practices</i>	0.063	0.196	0.078	0.056
<i>Numerical skills</i>	0.043	0.084	0.000	0.081
<i>Trust in product safety</i>	0.000	0.081	0.058	0.000
<i>Trust in environmental claims</i>	0.000	0.116	0.000	0.108
<i>Problems and complaints indicator</i>	0.039	0.108	0.000	0.038
<i>Average</i>	0.033	0.114	0.027	0.059

Source: Survey on consumer attitudes towards cross-border trade and consumer protection (2016).

An alternative way to look at the possible determinants of consumer vulnerability is to perform a multivariate analysis between self-assessed vulnerability⁴³ and the socio-demographic characteristics of the persons interviewed. Results from the logit regression⁴⁴ tend to confirm what consumers stated in the surveys:

- the financial status of the consumers is the factor more closely related with the tendency to feel vulnerable as consumer;
- persons with a mother tongue different from official languages spoken in the country/region of residence report a higher level of vulnerability;
- white-collar employees (including managers) are less exposed to consumer vulnerability, while those seeking a job are more exposed;
- gender and education have a modest link to consumer vulnerability: men tend to feel less vulnerable than women, and those with a high level of education are less likely to feel vulnerable than those with a low level of education;
- consumers from rural areas tend to feel more vulnerable, while there is not a clear pattern linked to age groups.

⁴² The estimated marginal effect has been considered equal to 0 when not statistically significant at 5% level.

⁴³ The dependant variable in the regression is a binary variable which takes the value of 1 if the person has declared feeling vulnerable as a consumer for one or more socio-demographic factors (to a great extent or to some extent) and 0 otherwise.

⁴⁴ Results from the logit regression are available in Annex 6.3.