

KEPKA-Consumers' Protection Center

1. We (KEPKA-Consumers' Protection Center) welcome the Commission's consultation on developing a harmonised methodology for classifying and reporting consumer complaints across the European Union.

As a consumer organization we receive complaints by consumers and very often (if they are members of our organization) we intervene and solve their disputes with enterprises using ADR. Last year we received 12.954 complaints.

We believe that the system you suggest is too complicated, e.g. Last year we received 1728 complaints against the providers of telecommunication services. This was the sectoral analysis. These complaints concerned many types: delay of providing the service, bad technical assistance, denial of the right to withdraw, denial to allow consumers change providers or terminate a contract, bad quality of connections, faulty equipment, violation of the distance selling regulation etc. And of course, these complaints would be differently classified according to the medium of transaction and even differently according to the infringement or the violation of the legislation. This means that this is a big burden for consumers' organizations. We would need more human resources to do this classification and these resources would be deprived from other departments more important to consumers. We recognize that such a detailed classification will be helpful to Commission but they must fund this system and the consumers' organization that will provide data. Only the provision of the IT tool is not enough.

On the other hand, we doubt this system will help us to identify problematic sectors of the market and decide our policy. In the above mentioned example could you tell us whether faulty equipment goes to the other category we have (faulty goods) or remains under the sector of providers of telecommunications. In our category of faulty products, we include all products (except food products) irrespective of their use. In KEPKA, we use the complaints so that we decide our policy.

The categories we use are:

- Faulty products
- Providers of telecommunications services
- Banks
- After sale services – Guarantees
- Touristic services
- Unsafe food products – Misleading labeling etc
- Beauty institutes – Gymsnasiums
- Rents
- Insurance companies
- Supermarkets (misleading practices)
- Off – premises sales – Distance selling
- Expensiveness
- Misleading advertising
- Sales and promotions
- Personal Data Protection
- Etc

2. Consumer complaints are seen to be a key indicator for the functioning of markets. The need for more comparable and usable data from different Member States is therefore a logical consequence of the Commission's policy.

3. However, we would like to stress in this context, that consumer detriment cannot be measured through data on consumer complaints only. Many factors, such as personal motivation, cost/benefit comparison, social pressure etc, have an influence on whether a consumer with a problem will finally complain or not. Many problems are not reported through consumer complaints. We underline in particular that complaints data, might be limited in regard to "large scale low-level detriment", because consumers often simply do not complain for small financial losses.
4. We trust that the Commission in its future policy shaping will use other additional indicators to measure the detriment of specific consumer groups and in particular of vulnerable consumers, who very often do not voice problems.
5. We favour a voluntary system for the harmonized classifying and reporting of consumer complaints. An obligatory system is seen as potentially interfering with an already well functioning data collection system that we as a consumer organization have already developed. Our system serves certain objectives, which are important for us. The obvious risk is that work could double for us if we have to collect complaints data according to an EU wide harmonized methodology, as we need to maintain our own system. Consideration should therefore be given to how a redoubling of efforts can be avoided. Solutions to convert systems in a flexible way, which would allow for adaptation according to specific needs, should be looked after. We would require funding in order to be able to contribute to and/or implement any new system as well as any linked IT Tool.
6. We agree that only the classification of complaints addressed to third parties (contrary to complaints addressed to the seller) should be harmonized.
7. We consider that data must be made available on a regular basis and certainly every six months, so that action can be taken in a short time.
8. The aggregated data should be made available to the public so that consumer organizations can provide any relevant information to consumers and to insure that the instrument can be adapted where needed.

Being always at your disposal.

Yours sincerely,
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