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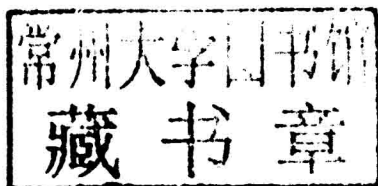
Iris Benöhr

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PREFACE

The EEC was shaped initially by the divide between market making, which was the primary objective of the single market project, and issues of social protection that were left largely to Member States. This divide has weakened considerably over time. The EC has gained competence in the latter area, as exemplified by inclusion in the Maastricht Treaty of consumer protection.

This initiative was given greater precision by the Treaty of Amsterdam, and the relevant provision is now Article 169 TFEU, which provides in essence that in order to promote the interests of consumers and to ensure a high level of consumer protection, the EU shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organize themselves in order to safeguard their interests. The EU with 28 Member States is a very sizeable market, and hence the changes in consumer law resulting from technological innovation, and new modes of distribution are especially significant. Within the EU, consumer law is driven by twin imperatives, these being market efficiency and harmonization on the one hand, and recognition of the need to protect the consumer as a social policy objective on the other.

Iris Benöhr's book is therefore timely and considers in depth the relationship between consumer law, the EU constitutional framework, human rights and the changing role of the state in the Union. She considers how social justice and cultural diversity in consumer regulation can be included in the EU integration process, and what institutional instruments can effectively protect consumers, while promoting active participation, inclusion and confidence in the cross-border market. The linkage between fundamental rights and consumer protection is assessed both generally and in three specific areas of consumer law, these being consumer credit regulation, electronic communication and access to justice.

The book will be of interest to all those concerned with the relationship between market integration and consumer protection, and more broadly with the interaction between economic policy, social policy and fundamental rights in the EU.

Paul Craig and Gráinne de Búrca

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This book is dedicated to my parents, Christine and Michael Benöhr, and to my grandparents, Robert and Simone Muller, who have been supportive and encouraging during my studies. I am also particularly indebted to my husband Marco Galbiati for his patience and encouragement throughout the writing of this book.

Iris Benöhr
University of Oxford

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Fundamental Rights
The Case of Individual Sanctions
Christina Eckes

From Dual to Cooperative Federalism
The Changing Structure of
European Law
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TABLE OF CASES

European Court of Justice

29/69 <i>Stauder v. City of Ulm</i> [1969] ECR 419	54
11/70 <i>Internationale Handelsgesellschaft v. Einfuhr-und Vorratsstelle</i> [1970] ECR 1125	54
4/73 <i>Nold v. European Commission</i> [1974] ECR 491	55
33/76 <i>Rewe-Zentralfinanz and Rewe-Zentral AG v. Landwirtschaftskammer für das Saarland</i> [1976] ECR 1989	190
120/78 <i>Rewe Zentrale AG v. Bundesmonopolverwaltung für Branntwein</i> [1979] ECR 649	20, 21
286/82 & 26/83 <i>Luisi and Carbone v. Ministero del Tesoro</i> [1984] ECR 377	22
14/83 <i>von Colson and Kamann v. Land Nordrhein-Westfalen</i> [1984] ECR 1891	190
222/84 <i>Johnston v. Chief Constable of the Royal Ulster Constabulary</i> [1986] ECR 1651	190
382/87 <i>Buet and Educational Business Services (EBS) v. Ministère Public</i> [1989] ECR 1235	17, 22, 23
C-202/88 <i>French Republic v. Commission of the European Communities</i> [1991] ECR I-01223	151
C-362/88 <i>GB-INNO-BM SA v. Confédération du Commerce Luxembourgeois (CCL)</i> [1990] ECR I-667	19, 22, 27
C-126/91 <i>Schutzverband gegen Unwesen in der Wirtschaft v. Y. Rocher GmbH</i> [1993] ECR I-2361	22
C-267/91 and C-268/91 <i>Keck and Mithouard</i> [1993] ECR I-6093	25
C-315/92 <i>Verband Sozialer Wettbewerb eV v. Clinique Laboratoires SNC</i> [1994] ECR I-317	22, 25
C-269/95 <i>Francesco Benincasa v. Dentalkit Srl</i> [1997] ECR I-3767	17
C-45/96 <i>Bayerische Hypotheken- und Wechselbank AG v. Edgar Dietzinger</i> [1998] ECR I-1199	128
C-210/96 <i>Gut Springenheide GmbH, Rudolf Tuský v. Oberkreisdirektor des Kreises Steinfurt</i> [1998] ECR I-4657	17, 26
C-173/99 <i>BECTU v. Secretary of State for Trade and Industry</i> [2001] ECR I-4881	67
C-208/98 <i>Berliner Kindl Brauerei</i> [2000] ECR I-1741	129
C-220/98 <i>Estée Lauder Cosmetics GmbH & Co. OHG v. Lancaster Group GmbH</i> [2000] ECR I-117	26
C-376/98 <i>Germany v. Parliament and Council</i> [2000] ECR I-08419	29, 107

C-377/98 <i>Netherlands v. Parliament and Council</i> [2001] ECR I-7079.....	30
C-453/99 <i>Courage v. Crehan Ltd.</i> [2001] ECR I-6314.....	186
C-481/99 <i>Heiniger</i> [2001] ECR I-9945	130
C-52/00 <i>Commission v. France</i> [2002] ECR I-3856	4, 34, 35
C-112/00 <i>Schmidberger Internationale Transporte und Planzüge v. Republik Österreich</i> [2002] ECR I-5659	67, 101
C-154/00 <i>Commission v. Greece</i> [2002] ECR I-3879.....	4, 35
C-183/00 <i>María Victoria González Sánchez v. Medicina Austuriana</i> [2002] ECR I-3901	34, 35
C-491/01 <i>R v. Secretary of State for Health ex parte British American Tobacco (Investments) Ltd. and Imperial Tobacco Ltd.</i> [2001] ECR I-11543	30
C-36/02 <i>Omega Spielballen- und Automatenaufstellungs-GmbH v. Oberbürgermeisterin der Bundesstadt Bonn</i> [2004] ECR I-9609.....	67
C-210/03 <i>R v. Secretary of State for Health, ex parte Swedish Match</i> [2004] ECR I-11893.....	30
C-402/03 <i>Skov Aeg v. Bilka Lavprisvarehus A/S and Bilka Lavprisvarehus A/S v. Jette Mikkelsen and Michael Due Nielsen</i> [2006] ECR I-199 35	
C-295/04 and C-298/04 <i>Manfredi v. Lloyd Adriatico Assicurazioni SpA</i> [2006] ECR I-6619	187
C-441/04 <i>A-Punkt Schmuckhandel</i> [2006] ECR I2093	22
C-28/05 <i>Doktor and Others</i> [2006] ECR I-5431	198
C-168/05 <i>Elisa María Mostaza Claro v. Centro Móvil Milenium SL</i> [2006] ECR I-10421	160, 187, 198
C-438/05 <i>International Transport Workers' Federation and Finnish Seamen's Union v. Viking Line ABP and OU Viking Line Eesti</i> [2007] ECR I-10779	101
C-341/05 <i>Laval un Partneri</i> [2007] ECR I-11767.....	101
C-275/06 <i>Productores de Música de España (Promusicae) v. Telefónica de España SAU</i> [2008] ECR I-00271	59, 62, 163, 164
C-509/07 <i>Luigi Scarpelli v. NEOS Banca SpA</i> [2009] ECR I-3311	130
C-40/08 <i>Asturcom Telecomunicaciones SL v. Cristina Rodríguez Nogueira</i> [2009] ECR I-9579	187, 199
C-137/08 <i>VB Pénzügyi Lízing Zrt. v. Ferenc Schneider</i> [2010] ECR I-847	199
C-243/08 <i>Pannon GSM Zrt. v. Erzsébet Sustikné Györfi</i> [2009] ECR I-4713	199
C-285/08 <i>Société Moteurs Leroy Somer v. Société Dalkia France, Société Ace Europe</i> [2009] ECR I-4733	35
C-317/08 to C-320/08 <i>Alassini and others v. Telecom Italia</i> [2010] ECR I-2213 1.....	49, 177, 197, 198
C-236/09 <i>Association Belge des Consommateurs Test-Achats ASBL and Others v. Conseil des ministres</i> [2011] ECR I-00773.....	67, 130, 131, 132, 133
C-279/09 <i>DEB Deutsche Energiehandels- und Beratungsgesellschaft</i> [2010] ECR I-13849	203, 204
C-447/09 <i>Reinhard Prigge and Others v Deutsche Lufthansa AG</i> [2011] ECR I-08003	67

C-70/10 <i>Scarlet Extended SA v. Société belge des auteurs, compositeurs et éditeurs SCRL (SABAM)</i> [2011] OJ C 25	164, 165, 166
T-224/10 <i>Association belge des consommateurs Test-Achats ASBL v. European Commission</i> [2011] OJ C 347.	41, 188
C-297/10 and 298/10 <i>Hennigs v. Eisenbahn-Bundesamt, Land Berlin v. Mai</i> [2011] ECR I-07965	67
C-360/10 <i>Belgische Vereniging van Auteurs, Componisten en Uitgevers CVBA (SABAM) v. Netlog NV</i> [2012] OJ C 98	166

European Court of Human Rights

5.5.1979 <i>X and Church of Scientology v. Sweden</i> Application 7805/77, (1979) 16 DR 68	50
25.8.1988 <i>Hertel v. Switzerland</i> Application 25181/94, [1998] ECHR 77	50
25.10.1989 <i>Markt Intern Verlag GmbH and Klaus Beermann v. Germany</i> Application 10572/83, [1989] ECHR 21	50
18.1.2011 <i>MGN Ltd v. United Kingdom</i> Application 39401/04, [2011] ECHR 66.	206, 207

Rest of the World

BVerfG 19 October 1993, BVerfGE 89, 214	71, 126, 127
Trib. Milano, <i>Pedruzzoli v. Mediolanum Vita</i> 30 March 1994, Foro it, 1994, I, 1572	72
<i>Minister of Health and Others v. Treatment Action Campaign and Others</i> , 2002 (5) SA 721 (CC), 2002 (10) BCLR 1033 (CC).	74
<i>Treatment Action Campaign v. Minister of Health, High Court of South Africa, Transvaal Provincial Division</i> (2002) 4 BCLR 356	74

TABLE OF LEGISLATION

EU Instruments

Directive 84/450/EEC of 10 September 1984 on the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising (OJ L 250/17, 19.09.1984)	20, 180
Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products (OJ L 210/29, 07.08.1985)	20, 22, 34, 36
Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (OJ L372/31, 31.12.1985)	22, 28, 32, 128
Directive 87/102/EEC of 22 December 1986 for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ L 42/48, 12.2.1987)	22, 28, 113, 129
Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours (OJ L 158/59, 23.6.1990)	22, 28
Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95/29, 21.4.1993)	22, 28, 31, 32, 115, 160, 180, 198
Directive 97/7/EC of 20 May 1997 on Consumer Protection regarding Distance Contracts (OJ L 144/19, 4.6.1997)	28, 32
Directive 98/6/EC of 16 February on consumer protection in the indication of the prices of products offered to consumers (OJ L80/27, 18.3.1998)	24
Directive 98/27/EC of 19 May 1998 on injunctions for the protection of consumers' interests (OJ L 166/51, 11.6.1998), subsequently modified and codified by Directive 2009/22/EC of 23 April 2009 on injunctions for the protection of consumers' interests (OJ L 110/30, 1.5.2009)	27, 180, 181, 182
Directive 98/43/EC of 6 July 1998 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (OJ L213/9, 30.7.1998)	29, 30
Recommendation 98/257/EC of 30 March 1998 on the principles applicable to the bodies responsible for the out-of-court settlement of consumer disputes (OJ L 115/31, 17.04.1998)	180, 195, 198
Directive 1999/44/EC of 25 May 1999 on Sale of Consumer Goods (OJ L 171/12, 7.7.1999)	32

Directive 2000/31/EC of 8 June 2000 on electronic commerce (OJ L 178/1, 17.7.2000).....	196
Recommendation 2001/310/EC of 4 April 2001 on the principles for out-of-court bodies involved in the consensual resolution of consumer ADR (OJ L 109/56, 19.4.2001)	180, 195
Directive 2002/19/EC of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (OJ L 108/7, 24.4.2002).....	148, 149
Directive 2002/20/EC of 7 March 2002 on the authorisation of electronic communications networks and services (OJ L 108/21, 24.4.2002)	148, 149
Directive 2002/21/EC of 7 March 2002 on a common regulatory framework for electronic communications networks and services (OJ L 108/33, 24.4.2002)	148, 149
Directive 2002/22/EC of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (OJ L 108/51, 24.4.2002)	148, 149, 154, 155, 156, 167
Directive 2002/58/EC of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications' sector (OJ L 201/37, 31.7.2002)	149, 161, 163, 164, 167
Directive 2002/65/EC of 23 September 2002 concerning the distance marketing of consumer financial services (OJ L 271/16, 9.10.2002).....	31
Directive 2002/92/EC of 9 December 2002 on insurance mediation (OJ L 9/3, 15.1.2003).....	110
Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes (OJ L 26/41, 31.01.03)	179, 203,
Directive 2003/33/EC of May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (OJ L 152/16, 20.6.2003).....	30
Directive 2004/39/EC of 21 April 2004 on markets in financial instruments (OJ L 145/1, 30.4.2004).....	110, 196
Regulation (EC) No. 139/2004 of 20 January 2004 on the control of concentrations between undertakings ('EC Merger Regulation') (OJ L 24/1, 29.01.2004)	188
Regulation 2006/2004/EC of 27 October 2004 on co-operation between national authorities responsible for the enforcement of consumer protection laws (OJ L 364/1, 9.12.2004).....	105, 149, 167, 179, 180, 200, 201
Directive 2005/29/EC of 11 May 2005 concerning Unfair Commercial Practices in the Internal Market (OJ L 149/22, 11.6.2005).....	31, 180

Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (OJ L 53/1, 22.2.2007)	65
Regulation (EC) No 861/2007 of 11 July 2007 establishing a European small claims procedure (OJ L 199/1, 31.7.2007)	179
Directive 2008/48/EC of 23 April 2008 on Credit Agreements for Consumers (OJ L 133/66, 22.5.2008)	27, 32, 110, 113, 115, 117, 120, 196
Directive 2008/52/EC of 21 May 2008 on mediation in civil and commercial matters (OJ L 136/3, 24.5.2008)	180, 195
Directive 2008/122/EC of 14 January 2009 on Certain Aspects of Timeshare and Long-term Holiday Products (OJ L 33/10, 3.2.2009)	32
Directive 2009/22/EC of 23 April 2009 on injunctions for the protection of consumers' interests (OJ L 110/30, 1.5.2009)	105, 180, 200, 201
Directive 2009/136/EC of 25 November 2009 amending Directive 2002/22/EC and Directive 2002/58/EC and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337/11, 18.12.2009)	146, 149, 150, 154, 157, 158, 159, 161, 166, 167, 173
Regulation (EU) No 211/2011 of 16 February 2011 on the citizens' initiative (OJ L 65/1, 11.3.2011)	171, 172
Directive 2011/83/EU of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC and repealing Council Directive 85/577/EEC (OJ L 304/64, 22.11.2011)	32, 66
Regulation (EU) No 268/2012 of 25 January 2012 amending Annex I of Regulation (EU) No 211/2011 on the citizens' initiative (OJ L 89/1, 27.3.2012)	172

EU Communications

Commission's White Paper on the Completion of the Internal Market, COM(1985) 310	19
Commission's Green Paper on Access of Consumers to Justice and the Settlement of Consumer Disputes in the Single Market, COM(1993) 576	179
Commission's Communication on Services of General Interest in Europe, COM(2000) 580	150
Commission's Communication on European Contract Law, COM(2001) 398	150

Opinion of the European Economic and Social Committee on the Proposal for a Directive concerning credit for consumers, COM(2002) 443	110, 114, 119
2003 Action Plan on a more coherent European Contract law, COM(2003) 68 final	32
Green Paper on Services of General Interest, COM(2003) 270	153
White Paper on Services of General Interest, COM(2004) 374	153
Commissions' Proposal for Directive on the harmonisation of the laws, regulations and administrative provisions of the Member States concerning credit for consumers repealing Directive 87/102/EC and modifying Directive 93/13/EC, COM(2004) 747 final, 2002/0222 (COD)	110, 119
EU consumer policy strategy for 2002–2006, COM(2004) 651	31
Green Paper on Damages actions for breach of the EC antitrust rules, COM(2005) 672	187
The third Report Concerning Liability for Defective Products, EU Commission, Brussels, 14.9.2006, COM(2006) 496 final	80
Green Paper on the Review of the Consumer Acquis, Brussels, 08.02.2007, COM(2006) 744 final	32
Consumer Policy Strategy 2007–2013, Empowering consumers, enhancing their welfare, effectively protecting them, Brussels, 13.3.2007, COM(2007) 99 final	32, 103, 153, 187
Communication from the European Commission on Financial Education, Brussels, 18.12.2007, COM(2007) 808 final	139
Commission's White Paper on Damages Actions for Breach of the EC Antitrust Rules COM(2008) 165	187
European Commission's Report concerning the application of Directive 98/27/EC, COM(2008) 756 final	180, 182
Green Paper on Consumer Collective Redress, European Commission, COM(2008) 794 final	180, 185
Proposal for a Directive on Consumer Rights, COM(2008) 614 final, 2008/0196 (COD)	32
Proposal for a Regulation of the European Parliament and of the Council on the citizens' initiative by the European Commission, COM(2010) 119 final	171
Communication from the Commission of 2 June 2010 – Regulating financial services for sustainable growth, COM(2010) 301	111
Commissions Communication on 'Resource Efficiency Roadmap', COM(2011) 571	103
Commission Proposal for a Directive on alternative dispute resolution for consumer disputes, COM(2011) 793/2, final	200

Communication from the European Commission, A European Consumer Agenda—Boosting confidence and growth, COM(2012) 225 final	82, 92, 103, 125
--	------------------

Council of Europe Documents

European Convention on Products Liability in regard to Personal Injury and Death, Council of Europe, ETS no. 91, Strasbourg, 27.1.1977	14
European Convention on Transfrontier Television, Council of Europe, ETS no. 132, Strasbourg, 5.5.1989; text amended by the Protocol (ETS no. 171), 1.4.2002	14

'Consumers by definition include us all. They are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard.'

President John F. Kennedy, speech to Congress in 1962

CONTENTS

<i>Table of Cases</i>	xiii
<i>Table of Legislation</i>	xvii
1. Introduction	1
2. Consumer Law and the Market	9
1. Introduction	9
2. Historical Evolution of Consumer Law and Policy	10
2.1. The lack of a consumer law category	11
2.2. Political recognition of the consumer at the international level	12
2.3. Different national models of consumer protection	14
2.4. The notion of the average consumer in EU law	16
3. The European Union's Competence in Consumer Law	18
3.1. The Treaty of Rome	18
3.2. The Single European Act	21
3.3. The Treaty of Maastricht	23
3.4. The Treaty of Amsterdam and the <i>Tobacco Advertising</i> case	26
4. Consumer Policy and the Lisbon Treaty	31
4.1. The full-harmonization trend	31
4.2. The implications for national systems	33
4.3. The citizen consumer and the Charter of Fundamental Rights	37
4.4. The Lisbon Treaty	39
5. Conclusions	43
3. The Evolution of Consumer Protection and Human Rights	45
1. Introduction	45
2. The International Law Context	46
2.1. Consumer protection as a new generation of human rights?	46
2.2. Implicit consumer protection in human rights agreements	49
2.3. The United Nations Guidelines for Consumer Protection	50

2.4. Debates on human rights	51
2.5. The impact of international law on consumer protection	53
3. Consumer Protection in the EU Charter of Fundamental Rights	54
3.1. The creation and the aim of the Charter of Fundamental Rights	54
3.2. The functions of the Charter and its social dimension	56
3.3. The relevant provisions in the Charter for consumer protection	58
3.4. The scope and limited application of the Charter	61
3.5. The difference between rights and principles	63
3.6. The implications of the Charter and the Lisbon Treaty	65
4. The Influence of Constitutional Rights and Principles	68
4.1. Constitutional consumer law models in selected countries	68
4.2. The impact of constitutional rights and principles on contracts	71
4.3. The protection of health and safety	72
4.4. Consumer codes	75
5. Conclusions	75
 4. A Broader Perspective on Consumer Protection and Human Rights	 77
1. Introduction	77
2. The Transformed Role of the Consumer	78
2.1. Changes in markets and regulation	79
2.2. Changes in consumers, vulnerable groups, and ethical trends	81
2.3. Adapting consumer law to economic and social changes	83
3. Freedom, Capabilities, Human Rights, and Procedures	85
3.1. Economic efficiency, freedom, and justice	85
3.2. Substantive freedoms, capability, and ethical demands	89
3.3. Human rights	93
3.4. Procedural rights and participation	96
4. Reassessing EU Consumer Law and Fundamental Rights	98
4.1. Economic and social dimensions of consumer law	99
4.2. Social responsibility and sustainable behaviour	101
4.3. Procedural rights—a catalogue for consumer law?	104
4.4. Feasibility and policy implications	106
5. Conclusions	107