



Members of Group I
Section for the Single Market, Production and
Consumption
European Economic and Social Committee
99, rue Belliard
B-1040 BRUSSELS

17 January 2007

Dear Member,

RE: OWN-INITIATIVE OPINION ON DEFINING THE COLLECTIVE ACTIONS SYSTEM AND ITS ROLE
IN THE CONTEXT OF COMMUNITY CONSUMER LAW

In the context of the on-going discussions on the above-mentioned opinion, we would like to inform you about BUSINESSSEUROPE's views on this important matter.

As stated in our 4 October position paper (at annex for your information), BUSINESSSEUROPE strongly supports effective and easy access to justice for EU consumers, which is important to underpin European stakeholders' confidence in the Internal Market and to ensure fair competition. It is in the interest of companies that adequate redress mechanisms exist and function well.

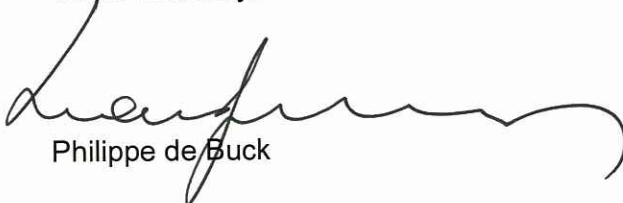
We therefore welcome the debate launched by the Commission aiming at assessing the current situation in Member States. We strongly agree with the Commission that before any EU proposal is decided the problems hampering the well function of the Internal Market have to be clearly defined and evidenced.

We consider that the case for EU action has not yet been made. This is why, as a first step, we consider it crucial to assess the current situation in Member States thoroughly, and to clearly identify any problems that consumers face regarding enforcement of their rights in the Internal Market. Only after this process should a discussion start as to whether among the solutions, judicial or non-judicial, to identified problems an EU course of action should be contemplated.

In the light of the above, a request for EU legislation in this field, as advocated by the draft own-initiative report prepared by Mr Pegado Liz, is premature and lacks adequate substantiation. We therefore ask you not to support this approach, unless the report is substantially modified reflecting the need for further debate on the subject before any call for EU legislative action.

I thank you in advance for your support on this subject and remain at your disposal should you wish to discuss this subject further.

Yours sincerely,



Philippe de Buck