

**Annual Report by members of the
European Consumer Consultative Group (ECCG)
representing national consumer organisations
July 2016-July 2017**

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Organisation: Spoločnosť ochrany spotrebiteľov S.O.S. Poprad

Function: project coordinator

1. Please describe your organisation (national/European/umbrella organisation, its members, its income/support by national authorities, relations with other consumer organisations).

S.O.S. Poprad is national consumer organisation which runs ADR consumers' advice centres in Slovakia. We have currently 18 members, three local brunches and a very close and active network of external professional experts with law, social, economic, IT and psychological background. SOS don't have official member platform created from supporters or subscribers.

Members are various experts, who cooperate closely on projects and activities realized by S.O.S. We are members of Slovak Chamber of Consumer Associations and BEUC. Our organisation provides advice to consumers on a daily base. We are registered as ADR/ODR subject for all areas of consumer disputes and one of two ADR subjects dealing with financial services.

S.O.S. directly represented 620 consumers in various disputes with traders, consulted 782 cases and enforced 77 224 euro directly to consumers (out of court). Those numbers are for four experts working flexibly in three advice centers across the republic very impressive if we consider out-of-court are "only" usually settled claims of small value. Financial or other bigger cases usually stuck on the courts forever.

S.O.S. printed and distributed three information consumer manuals Smarter Logos, Digital Rights and Energy Rights. Thanks to participation on Consumer Champion project, S.O.S. with cooperation with BEUC, organized two courses for consumer professionals Consumer Advice and Consumer Law. In terms of Slovak Ministry of Economy grant S.O.S. also organized 15 workshops for seniors and vulnerable groups. There is also excellent media coverage of S.O.S. activities and its experts are often present in local and national pieces. We are active in dual quality goods discussions and should start campaign to gather consumers affected by Dieselgate.

Financial support from Ministry of Economy for consumer organisations assigned from state budget is still very low and the amount of sources is different every year. We have to prepare projects in January, results are published in March, projects begin usually in April and last till the end of December every year. Every project has to be anonymous and there is no guarantee for organisations they will be supported next year, again. The rules are every year different. One year you have to have for example office open every Tuesday from 14.00 till 16:00 and the next year on Tuesday from 9:00 till 11:00. And this is what they control afterwards – huge amount of administration, but no one really cares that consumer protection should be built continuously. With this system there is no continuity, capacity professionalism or quality building possible. We start every year from zero, as some anonymous project without name of the organisation, unsure what next years will bring. There are organisations who already lost their motivation, so they don't even

try to appeal for the funding, so ministry does not have strong arguments for budget makers to ask more, because there is not such significant demand for it.

State support for consumer organisations has actually grown up, 80 000 € in 2017, 50 000 € for 2016. There are 27 working consumer organisations in Slovakia, some are more active as others, but all of them have good expertise for different fields. If there would be strategy and proper financial scheme from our government or other sources in combination with different tools, we are able to create professional and strong organisation present in all eight main regions and covering the most important topics.

Tension between consumer organisations is still strong, because they are fighting to survive. Some of them refuse participate and join discussions regarding ECCG issues, other don't show any activity. With many active ones we have very fruitful and interactive relations. It was very good we could have Consumer Champion courses in Slovakia, because we had chance to meet colleagues from different consumer organisations on an independent land and discuss what bothers us.

2. Please describe the consulting mechanisms you use to inform other consumer organisations at national level about the work of the ECCG or, (in the absence of other consumer organisations), to inform your members or member organisations.

As a Slovak ECCG representative I work with the email contact list of consumer organisations, NGO's associating disabled people, judges, lawyers, advocates, legal representatives of ministries, trade inspection and other expert bodies and stakeholders. Before planned ECCG meeting I usually ask them via email or personally what they want to communicate to EC, gather information from relevant experts for topics which should be discussed. I prepare and distribute report from each meeting and there is a web site (www.sospotrebitelov.sk/category/eccg/) where they can find all the original presentation, minutes and conclusions with other interesting materials. If someone is interested in certain material, I communicate them the content directly.

S.O.S. publish a lot of articles regularly, participate in live TV and radio discussions, answer questions of single journalists. There are usually at least three press conferences a year, with very good media coverage, but we communicate also some EU topics based on information from ECCG and BEUC in the meantime.

3. How do you ensure that the views of those that you represent, e.g. other consumer organisations or members, are conveyed at the ECCG meetings?

I ask consumer organisation for selected topics but also for their input and problems not related with ECCG issues on a regular base. Some Slovak organisations share their views regarding consumer environment in Slovakia or EU, but there are also organisations, which ignore my questions from various reasons.

We don't have any umbrella organisation in Slovakia and regular meetings are very rare. Thanks to Consumer Champion – we had after a long period – chance to meet and have a normal discussion about our interests and challenges, to share our views and it was very pleasant. So I expect things will shift to a right direction slowly soon.

I do my best to create a mixture of various possibilities for communication and cooperation not only for consumer organisations, but everyone, who is interested. All information are shared and are public, so everyone who want to express their views, can.

4. How often do you have contact with other consumer organisations or members?

We cooperate with organizations focused on financial services, online shopping, energy market and advice on a regular base. Since we are a member, I communicate with BEUC more and often discuss things with colleagues from organisations from different countries.

5. Which media channels, including social media, do you use for communicating both national and ECCG consumer policy issues?

- website, Facebook, Twitter
- press releases and interviews
- press conferences, articles in printed, audio-visual and internet media
- printed consumer manuals, brochures, leaflets and publications
- emails and personal visits

6. For ECCG Members from Member States: Please indicate issues that, in your opinion, have affected the consumer landscape in your country (both positively and negatively). (e.g. changes in national consumer policy approach affecting consumer organisations, level of enforcement of EU acquis, sectors/markets where consumers in particular face weak protection etc.)

Although European directives and regulations strengthen consumer rights, until the enforcement of the law won't be better in Slovakia, they won't have any concrete impact for average consumer.

I think the prestige of digital single market and protection of consumer rights online got serious bunch, because there are quite a few e-scandals connected with the e-government and e-health in Slovakia. People are used the fact we paid for those systems too much already although they don't work yet, but a few weeks ago some hackers discovered our national scheme for electronic signature is unsafe and government warned people not to use them. We believe this can be serious issue for average consumer to gain or regain trust for data protection and enforcement of the law in digital environment.

After a legislation make-up, consumer executions are dealt with only on one court in the whole Slovakia. Most of the legal communication with the courts – regarding traders, consumers and advocates – should be done online. New system is a mess, often completely blocked and legal procedures take even longer.

Slovakia was very criticized for having too complicated rules for personal bankruptcy, so we changed them. It was impossible for thousands of people living in debt, to employ themselves officially because there were execution orders blocking their bank accounts. Now the rules are easier, but everybody needs to go through with the state legal advice network centres and the demand for their services is so high, people need to wait even half a year till they will get to start. For families where public auction is behind their door this is not a good solution at all.

There was a case of online shop, where electronics, kitchen equipment or watches could be bought. Suddenly, tens of people from around Europe started to contact us on ODR platform and ECC Slovakia asking for this concrete Slovak trader. Online shop let them to pay for guitar, TV set or watches a few hundreds of euro, but the order never came. Consumers from France, Germany or Latvia started to claim. Till the time the trader had some finance, we managed due the strong pressure persuade him to send a few people money back. But there are still some who don't have their money or the products they paid for. And here we go, this trader is "famous", all relevant state control institutions know him, he paid funny sanctions, there still are people complaining and the trader is still active, free to detriment the law...

Air passenger's rights, travel agencies and plane tickets – this is very interesting situation consumers are asking us. Air passenger's rights directive is quite well known due to campaign on the airports and internet. But once your rights are violated, and you know thanks to campaign, what you are obliged to and how to complain, you will be even more frustrated, when you see there is not a real enforcement in the end. This sector is one of the most problematic ones. It shows even with strictest rules we are helpless when it goes to gig company names. And it is very frustrating for me to explain a group of Slovak people, who were preparing and organizing very important conference in Pittsburgh a year ahead, that they are not going to get their 1500 euro back for flights cancelled by airlines month before they were due to travel and there is not different route possible to them to be on time on that conference. And when you ask institutions, you just hear – yes, it is a problem we know about, but it is just like that...

We have also huge scandal with one insurance company, where 15 000 consumers are affected. Company went to bankruptcy, but all relevant institutions knew for at least four years they don't pay out consumers when the contracts are due. Official bankruptcy was ordered by National Bank of Slovakia, which should react at least four years ago, because the problems were very well known to them. But this official bankruptcy is actually the worst solution for consumers, because once this official procedure started, all other legal actions as for example court cases of individual consumers were paused. It is very well known, that insurance company owners made sure there will be no property or assets once there will come to any legal action. The bankruptcy trustee appointed by the state after audit investigation said almost hundred percent that consumers won't see their money back, because there is nothing left. Consumer organizations are disappointed, because we were quite successful in winning cases on the court. We managed to settle the case, after it went to the court, in 85% of cases. Now we have literally pathological situation with this, because official bankruptcy procedure was only announced publicly, haven't started yet. Consumer can appoint their claims only after that, but it is quite a lot of paperwork especially if you know there is almost no chance it will have any impact on enforcing your monthly installments paid many years back. And consumer organizations and advocates can't represent consumers on courts, because the official bankruptcy procedure should start soon. Credibility of institutions and even consumer organizations is seriously falling down.

Double quality products issue some politicians started to mix up with double speed Europe. This was not what was meant by consumer organizations when they started to talk about this topic. Now it is suddenly politically very sensitive and important. We believe there is no need for new European legislation tailored for this issue, because current version of UCPD gives national stakeholders enough power and legal space to create case and start act. Consumers don't like it either and those practices should not be unreasonably present or used in a single market, but if you ask them, they think there are more important problems national politicians can focus on more if they have honest interest in consumer protection. There is very easy tool to avoid those practices. Persuade locals to buy local brands. And there is another important issue. Why are those practices common on certain markets? One of the reasons can be non-existing or very poor consumer protection and weak consumer movement in form of consumer organization, which would be able to watch and protect collective rights of national consumers.

Although consumer credit disputes are the most complicated and long-lasting cases in our practice, we are also able to conclude out-of-court agreements in this field. At this point, we would like to highlight our informal agreement with non-bank corporation, based on what we gradually conclude out of court settlements particularly beneficial to consumers. The lender in addition confirms in writing that there are no other financial claims against the consumer, he informed the court the case has been settled, too, the costs of the execution, the court fees and the arbitration, if they arise, are borne by the credit provider, which means that there is also significant savings on the part of the consumer.

4. Please include a list of organisations (names of organisations and websites) you have consulted and kept informed during the reporting period.

NGOs' focused on consumers' and patients' rights

Regionálne združenie spotrebiteľov Regionspot, Nové Zámky - martuskanagy@gmail.com
Občianske združenie – ZSS SOZOS, Košice - ondrej.vargic@centrum.sk Slovenské združenie ochrany práv pacientov a spotrebiteľov, Prievidza – www.agrifood.sk
Spotrebiteľský inštitút, Bratislava - www.consuminstit.sk
Spotrebiteľské centrum generácie 2000, Nové Zámky - gen2000@centrum.sk
Asociácia spotrebiteľov Slovenska - www.pravaspotrebiteľa.sk
Asociácia spotrebiteľských subjektov Slovenska - www.spotrebiteľinfo.sk,
Asociácia užívateľov služieb/ Asociácia užívateľov bytov - asubb@centrum.sk
Fórum spotrebiteľov - forum.spotrebiteľov@gmail.com
Združenie slovenských spotrebiteľov – www.zss.sk
Združenie občianskej sebaobrany, Bratislava - www.slovenskyspotrebiteľ.sk
Združenie bratislavských spotrebiteľov, Bratislava - zbs@pobox.sk
Klub združenia spotrebiteľov regiónu Zvolen - markos.jozef@gmail.com
ZSS - Ochrana spotrebiteľa Oravy - vlado.chovanec46@gmail.com
ZSS - Združenie spotrebiteľov Považia a západného Slovenska - tkidaho@stonline.sk
Spoločnosť ochrany spotrebiteľov (S.O.S.) Poprad - www.sospotrebiteľov.sk
Združenie na ochranu občana spotrebiteľa HOOS - Združenie na ochranu a pomoc spotrebiteľom v núdzi – www.advokatspotrebiteľov.sk
Združenie na ochranu finančného spotrebiteľa OFS, Nitra - zdruzenie.ofs.nitra@gmail.com
Bývajme bezpečne Občianske Združenie, Bratislava – www.byvajmebezpecne.sk
Asociácia na ochranu spotrebiteľov liekov – www.aosl.sk
Združenie - Pomoc a ochrana spotrebiteľa POS - zdruzenie.pos@gmail.com
Račianske občianske centrum, Bratislava - magda.sulanova@gmail.com

Legal bodies, policymakers and other stakeholders

Ministry of economy – www.mhsr.sk
Ministry of justice – <http://www.justice.gov.sk>,
<http://www.justice.gov.sk/Stranky/Ministerstvo/Komisia-na-posudzovanie-podmienok-v-spotrebiteľských-zmluvach/Uvod.aspx>
Ministry of agriculture - <http://www.mpsr.sk/>
Slovak Trade Inspection - www soi.sk
Slovak Disability Council - <http://www.nrozp.sk/>
Public Health Authority of Slovak Republic - www.uvzs.sk/
State institute for drug control - www.sukl.sk
State Veterinary and Food Administration of the Slovak Republic - www.svps.sk
Rada RTVS - www.rtv.s.org
Národná banka Slovenska - Central bank of the Slovak Republic – www.nbs.sk
Regulatory Authority for Electronic Communication and Postal Services - www.teleoff.gov.sk
Slovak Office of Standards, Metrology and Testing - www.unms.sk
European Consumer Centre of Slovak Republic - www.esc-sr.sk
<http://euractiv.sk/>

This list of contact is not complete as I am sending all information to a lot of lawyers, advocates, judges and other experts interested in related consumer issues, too.

Date and signature:

3.11.2017 Poprad, Slovakia

Mgr. Petra Vargová Čakovská