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Consumer protection policy in the EU

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Abstract

Consumer protection refers to the legal and institutional framework that safeguards consumer welfare and rights by preventing unfair commercial practices and ensuring transparent market information. Elsewhere, consumer protection policy occupies an important place in working on the formation and strengthening consumers confidence in the European Union (EU). This paper discusses the gestation, rationale, and implementation of the EU consumer protection laws which have been majorly implemented through the Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights. This includes the Consumer Rights Directive, the Unfair Commercial Practices Directive, or the more recent Digital Services Act with a special focus on their functions whose aim is the protection of the consumer from unfair business practices.

Thus, this paper also discusses existing case law such as Planet49 as well as the recent case of Banco Español de Crédito that supports the EU's consumer protection agenda. However, it is important to point out that the EU has several limitations in this respect, including cross-border enforcement, regulation of the digital market place, and guaranteeing totality of protection throughout the EU member countries.

Keywords: Consumer Protection, EU Law, Consumer Rights Directive, Unfair Commercial Practices Directive, Digital Services Act, GDPR, Case Law, Market Regulation.

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