

IUS COMMUNE WORKSHOP "The Consumer in Public Law"

22 October 2010, Belle van Zuylen zaal, Academie gebouw te Utrecht

Objective

The workshop aims to analyse the following question: "What is the role of European public law with regard to the consumers' position in the European market?"

This question is inspired by the increasing importance of the consumers' role in the present European framework of market regulation. Relevant regulatory functions have been assigned to private consumers on the basis of the assumption that consumers make (economic) decisions that are in their best interest and that they have adequate legal instruments to realize these (economic) decisions. The assumption is that they behave rationally and that the European public law framework provides them the necessary legal tools to make rational choices and to protect their rights when necessary. However, these assumptions are not based on profound legal, economic and sociological research. The aim of this workshop is to explore how these assumptions are incorporated in European legislation and how this incorporation relates to modern economic theory and political science. On the one hand, this question will be approached from a more general perspective by linking it to EU citizenship, to modern economic theory, including behavioral economics as well as to a general overview of consumers' access to justice. On the other hand, it will be discussed, how the assumptions regarding the position of the consumer are implemented in certain areas of EU law, such as competition law and sports law. Finally, the findings with regard to the assumptions in public law, will be compared with the legal and economic assumptions concerning the role and position of consumers in private law.

Program

13.00-13.05	Introduction and welcome by Saskia Lavrijssen, Associate professor of Public economic law, Europa Institute Utrecht University
13.05-13.25	"Consumer citizenship", Annette Schrauwen, Associate professor of European law and European integration, Amsterdam University
13.25-13.45	"The assumption of homo economicus", Johan den Hertog, Associate professor of Law and Economics, Utrecht School of Economics
13.45-14.05	"Consumers' access to the European market in the light of their access to justice", Kati Cseres, Associate professor of European law, Amsterdam University
14.05-14.30	Discussion
14.30-14.45	Coffee
15.00-15.20	"Consumer welfare or consumer well being?: a critical assessment of the economization of competition law enforcement and the position of the consumer", Saskia Lavrijssen
15.20-15.40	"The role of the consumer and EU sports law", Stefaan van den Bogaert, professor of European law, Leiden University
15.40-16.00	"Strict liability and product safety regulation: the consumer as the object of legal protection", Anja Wiesbrock, assistant professor of European law
16.00-16.30	Discussion
16.30-16.45	Closing remarks by Annette Schrauwen

Drinks