



ANALYSIS OF THE PRACTICAL ACTIVITIES OF CONSUMER PROTECTION INSTITUTIONS IN GERMANY, FRANCE, AND JAPAN

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ANNOTATION

This article examines the practical activities of consumer protection institutions in Germany, France, and Japan in the context of electronic commerce. It highlights the legal and institutional mechanisms these countries use to protect consumers from unfair commercial practices, misinformation, and contract opacity. The analysis emphasizes the role of both state and civil society organizations, such as Germany's VZBV and Stiftung Warentest, France's DGCCRF and CNIL, and Japan's CAA and NCAC. The study also stresses the importance of mediation and arbitration mechanisms, transparency in information, and cross-border cooperation in resolving disputes. The institutional models discussed here serve as examples for developing countries, including Uzbekistan, in strengthening legal and practical consumer protection in the digital marketplace.

Keywords: consumer rights, electronic commerce, VZBV, DGCCRF, CNIL, CAA, NCAC, consumer protection, mediation, arbitration, digital trade, institutional mechanisms, Uzbekistan, cross-border e-commerce, legal awareness.

GERMANIYA, FRANSIYA VA YAPONIYADA ISTE'MOLCHI HUQUQLARINI HIMOYA QILUVCHI INSTITUTLARNING AMALIY FAOLIYATINI TAHLIL QILISH

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ANNOTATSIYA

Ushbu maqolada Germaniya, Fransiya va Yaponiyada elektron tijorat sohasida iste'molchilar huquqlarini himoya qiluvchi institutlarning amaliy faoliyati tahlil qilingan. Unda ushbu davlatlarda iste'molchilarni nohaq tijorat amaliyotlari,



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noto'g'ri ma'lumot va shaffof bo'lmagan shartnomalardan himoya qilish uchun qo'llanilayotgan huquqiy va institutsional mexanizmlar yoritib beriladi. Tahlilda davlat va fuqarolik jamiyati tashkilotlarining, xususan, Germaniyadagi VZBV va Stiftung Warentest, Fransiyadagi DGCCRF va CNIL hamda Yaponiyadagi CAA va NCAC kabi institutlarning roli alohida ta'kidlanadi. Shuningdek, vositachilik va arbitraj mexanizmlarining, ma'lumotlar shaffofligining va transchegaraviy hamkorlikning dolzarbligi ko'rsatib o'tiladi. Mazkur institutsional modellar O'zbekiston kabi rivojlanayotgan davlatlar uchun elektron savdo sohasida huquqiy va amaliy himoyani mustahkamlashda namunaviy tajriba bo'la oladi.

Kalit so'zlar: iste'molchi huquqlari, elektron tijorat, VZBV, DGCCRF, CNIL, CAA, NCAC, iste'molchilarni himoya qilish, vositachilik, arbitraj, raqamli savdo, institutsional mexanizmlar, O'zbekiston, transchegaraviy elektron savdo, huquqiy xabardorlik

The widespread popularization of electronic commerce is giving rise to new legal issues in the relationships between consumers and sellers. Unlike traditional trade systems, in electronic commerce, the consumer often purchases goods or services without inspecting them, which increases the risk of deception, decision-making based on incorrect information, or a lack of transparency in contractual terms. Therefore, the role of institutions protecting consumer rights in e-commerce is considered urgent and necessary.

The protection of consumer rights in electronic commerce is carried out in two main directions: the legal-regulatory framework — based on laws, codes, and regulations — and practical institutions — based on structures such as state and non-governmental organizations, arbitration and ombudsman services, and consumer associations. In this work, we will discuss the tasks and powers of these practical institutions, as well as the activities, duties, and mechanisms of institutions aimed at protecting consumer rights in e-commerce in Germany, France, and Japan, which apply the continental legal system in their legislation.

The tasks of practical institutions are numerous, but among the general and main tasks performed similarly by organizations in all countries are the following:



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educating consumers about their rights; reviewing individual or collective claims; resolving disputes between consumers and sellers before court proceedings; detecting cases of fraud, misleading advertising, and breaches of contract.

First of all, if we analyze the institutions in Germany aimed at protecting consumer rights in e-commerce, the Verbraucherzentrale Bundesverband (VZBV) — a non-governmental, non-profit organization protecting German consumers — was established as early as 1950.¹ This organization operates on the basis of the German Civil Code as well as the EU Directive on Electronic Commerce and the Directive on Unfair Commercial Practices. The main goal of the VZBV is to protect the economic interests of the consumer, defend them against unfair commercial practices, and provide legal advice.

The VZBV has extensive experience in protecting consumer rights in traditional commerce. Now, in order to analyze its responsibilities in protecting consumer rights in electronic commerce, it is appropriate to refer to statistical data. The organization has several functions, including a legal advisory department and a section designed to provide consumers with legal information. Through online consultations, the organization receives around 1,200 applications per day, approximately 35 percent of which are related to e-commerce issues — this reflects the level of trust consumers have toward the organization.²

The VZBV also has branches in 16 federal centers, offering free consultations to applicants on how to return goods, how to file a complaint in contractual relations formed through electronic commerce, and how to analyze online contracts. In this regard, German scholar Klaus Tonner, in his book “Consumer and Law: Beratungsdienste als Prävention”, acknowledges the establishment of offline legal services, stating that “Advisory service is a preventive tool that protects the consumer from commercial traps.”³

The Verbraucherzentrale Bundesverband (VZBV), similar to the Consumer Rights Protection Agency of the Republic of Uzbekistan, also has an online complaints portal. In 2022, 25,000 complaints were submitted to this portal, of which 42 percent

¹ <https://www.vzbv.de/ueber-uns/auf-einen-blick>

² <https://www.vzbv.de/fuer-verbraucher>

³ Tonner, K. (2017). Consumer and Law: Beratungsdienste als Prävention. Verbraucher und Recht, 49(8), 421–428.



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were related to electronic commerce. These complaints must be reviewed within 14 days. At the same time, the organization has the authority to submit proposals and amendments to legislation to the parliament within its competence regarding draft laws.

VZBV provides comprehensive support to consumers in e-commerce through legal assistance, dispute resolution, political representation, and education. Its functions of prevention, consultation, arbitration, and education — harmonized with national and European directives — ensure a high level of consumer protection.

As a notable example of VZBV's involvement in resolving major disputes, we can mention lawsuits against platforms like Facebook and Google. In 2018, VZBV challenged Facebook's data processing policy as lacking transparency, and succeeded in having this policy overturned through the courts. The Berlin Regional Court ruled that sending advertisements based on "implied consent" from users was unlawful. In 2020, VZBV criticized Google for collecting users' geolocation data through mobile applications without proper consent. These cases contributed to ensuring user privacy rights.

VZBV has also focused its attention on misleading website designs (e.g., hiding subscription cancellation options, making the rejection button hard to find). In 2022, it raised concerns about deceptive discounts and time pressure tactics used by sites like Booking.com and AboutYou, having these practices officially recognized as consumer deception. VZBV conducted inspections of cookie consent banners on numerous websites, revealing that many were collecting data without obtaining genuine user consent. As a result, in 2021, hundreds of websites were forced to change their cookie policies. According to VZBV's 2021 annual report, 69% of the 949 websites inspected tracked users via cookies without obtaining explicit consent.⁴ In the context of the digital economy, enabling consumers to make decisions based on accurate and reliable information has become one of the key aspects of legal protection. From this point of view, Stiftung Warentest, established in 1964 in Germany, not only strengthens the legal status of consumers but also contributes to

⁴ Hornung, G. (2019). Consumer organizations and the protection of privacy. *Journal of Consumer Policy*, 42(2), 157–174.



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the development of legal culture in digital contracts and e-commerce by providing objective, independent, and evidence-based information.⁵

Stiftung Warentest is an independent non-profit foundation established by the German government that helps consumers make informed decisions by providing scientifically based test results on products and services.

The foundation was created on the initiative of the Federal Ministry for Economic Affairs and operates based on the German Civil Code (Bürgerliches Gesetzbuch, BGB) and the Law on Foundations (Stiftungsrecht).

Stiftung Warentest tests hundreds of products and services annually. These tests include evaluations of technical characteristics, reliability and durability, safety of use, price-quality ratio, and compliance with ecological and health safety standards. For example, in one of the tests conducted in 2023, the foundation evaluated mobile phones sold on 14 major online marketplaces, and Alibaba and Wish were rated poorly in terms of safety.⁶

The foundation publishes its test results in the monthly magazine “Test” and on its official website, ensuring that the results are made available to the general public. This guarantees the consumer’s right to transparent information. Another important aspect of the foundation is that it provides recommendations to government bodies for improving legislation based on the test results.

Stiftung Warentest operates not only in Germany but also acts as an institution that strengthens civil society throughout Europe by providing impartial information in the protection of consumer rights. At the same time, it cooperates with consumer organizations in countries such as the United Kingdom, the Netherlands, and Japan. Particularly in the field of electronic commerce, the organization’s scientific research-based testing and recommendation policy plays an important role in ensuring the security and transparency of digital contracts.

The expansion of cross-border electronic commerce has become an inseparable characteristic of today’s global economy. Especially within the European Union (EU), the free movement of goods and services allows many consumers to make

⁵ <https://www.test>.

⁶ Brackemann, H. (2017). Testing for Trust: Stiftung Warentest and Consumer Protection in the Digital Age. *Journal of Consumer Studies*, 45(2), 115–130.



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purchases from online shops based in other countries. In such conditions, the protection of consumer interests — especially providing legal assistance in case of disputes — has become a pressing issue. In such complex situations, the European Consumer Centre Germany (ECC Germany) plays an important role.

ECC Germany is an independent consumer rights protection center within the ECC-Net (European Consumer Centres Network) system of the EU. Since 2005, the organization has been operating with joint funding from the German Federal Ministry of Justice and the European Commission. Its main task is to assist consumers residing in Germany in disputes with traders based in other EU countries — including providing legal advice, mediation services, and proposing out-of-court dispute resolution methods.⁷

Its activities are based on several international and national laws, including the EU Directive on Alternative Dispute Resolution, the EU Regulation on Online Dispute Resolution, and the German law on the alternative settlement of consumer disputes. The ECC-Net network covers more than 30 European countries and helps consumers resolve problems arising in trade conducted outside their own countries.

ECC Germany offers consumers various services, including free legal advice, guidance on writing complaints, mediation with foreign traders, and the ability to resolve unresolved issues through other ECCs in different countries within the ECC-Net framework.

According to the organization's annual reports, in 2023, ECC Germany received 19,385 applications, of which 64.8 percent were related to problems in electronic commerce. Most of these complaints were about undelivered goods, wrong products sent, poor service quality, or non-refunded payments.⁸

European legal scholars evaluate ECC-Net, and especially ECC Germany, as an institutional structure that strengthens public trust. For example, Professor Christoph Busch stated that “ECC centers are a fast, inexpensive, and effective tool for out-of-court dispute resolution. They guarantee citizens' active participation in international electronic trade.”⁹

⁷ <https://www.evz.de>

⁸ <https://eur-lex.europa.eu>

⁹ Busch, C. (2021). Cross-Border Consumer Dispute Resolution in the EU. *Journal of Consumer Policy*, 44(1), 1–24.



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ECC Germany operates as an essential mechanism for preventing problems related to the development of electronic commerce within the EU and for effectively and fairly resolving disputes between consumers and traders.

The organization not only provides legal advice but also restores the rights of thousands of citizens through practical mediation.

Now, turning to the institutions of the French Republic, which operates under the Romano-Germanic legal system, that are designed to protect consumer rights in electronic commerce, we note that in recent years, e-commerce in France has been developing rapidly. In 2023, the volume of online trade in France reached 146 billion euros, and this figure continues to grow each year. Such a pace of development in electronic commerce, in turn, increases the importance of institutions that ensure consumer rights protection. This article highlights the main institutions in France engaged in protecting consumer rights within the scope of e-commerce, their powers, operating mechanisms, and effectiveness.

One of the key public institutions protecting consumer rights at the national level is the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) under the Ministry of Economy of France. This organization fights against the dissemination of misleading information about goods and services in internet sales and monitors whether online entrepreneurs comply with mandatory information disclosure requirements.

For instance, in 2022, monitoring conducted by the DGCCRF revealed that 29% of the 1,300 online sales platforms inspected had committed violations against consumers. This demonstrates the important role of this organization in ensuring transparency in e-commerce platforms.¹⁰

In the non-governmental sector, the UFC-Que Choisir organization holds special importance. Established in 1951, this association now has hundreds of thousands of members, and it has the authority to carry out independent research, product testing, issue consumer warnings, and even file lawsuits on behalf of consumers. In 2021, similar to Germany, the organization filed a lawsuit against Booking.com regarding misleading pricing information, and the court ruled in favor of the association. This

¹⁰https://www.economie.gouv.fr/files/files/directions_services/dgccrf/dgccrf/rapports_activite/2023/bilan_activite%20A9-DGCCRF_2023.



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case confirms that civil society institutions in France also hold a strong legal position in the realm of e-commerce.¹¹

The CNIL (Commission Nationale de l'Informatique et des Libertés), which protects personal data, also plays a major role in the context of electronic commerce. This institution is France's largest authority responsible for digital information security, and its activities are based on the European Union's GDPR regulations. In 2022, CNIL imposed fines totaling more than 210 million euros on Google and Facebook for the illegal use of cookies. This demonstrates not only the protection of consumer data security but also the strong defense of the right to privacy.

In resolving disputes arising in electronic commerce, the Médiateur du e-commerce mediation institute is actively functioning. Through this service, many small and medium-sized disputes are resolved out of court. Mediation is particularly noted for its low cost, simplicity, and speed. According to statistical data, in 2023, over 10,000 complaints were submitted to the mediation service, and 75% were successfully resolved. The effectiveness of this system shows that the legal protection mechanisms in France are not only repressive but also based on preventive and conciliatory approaches.

The coordinated functioning of these institutions, their integration with social control mechanisms and alignment with legal culture, ensures a fair and stable environment in the field of electronic commerce. For Uzbekistan as well, this experience is of great significance, especially the need to develop mediation mechanisms, support independent consumer organizations, and deepen institutional reforms related to information security.

Over the past decades, electronic commerce has rapidly developed in Japan and has become a key segment of digital trade relations. Simultaneously, the issue of effectively protecting consumer rights in this new trade environment has also come to the forefront. Organizations specialized in protecting consumer interests in Japan operate not only as state administrative bodies but also as institutions of civil society. Their main tasks include identifying risks arising in the process of electronic

¹¹ <https://www.quechoisir.org>



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contracts, increasing consumers' legal literacy, resolving complaints, and monitoring the enforcement of laws.

The above-mentioned institutions operate within a coordinated and complementary system. CNIL ensures information security, DGCCRF oversees the quality of goods and services and contract transparency, UFC-Que Choisir acts as a representative of civil society by providing independent protection, and the mediation institution ensures the rapid resolution of practical disputes. Such an integrated approach confirms that consumer rights in France are protected in electronic commerce not just declaratively but in a real and functional manner. The French experience shows that consumer protection is effectively implemented not only through strengthening legislation but also through the work of reliable, independent, and professional institutions.

Japan's consumer rights system consists of multi-tiered and centralized mechanisms. At the state level, this responsibility is primarily carried out by the Consumer Affairs Agency (CAA). This agency is responsible for developing and implementing consumer protection policies. The CAA focuses on urgent issues in the field of electronic commerce: it monitors misleading advertisements, non-transparent contracts, and the illegal use of personal data, and it puts forward relevant legislative initiatives.

Operating under the CAA is the National Consumer Affairs Center of Japan (NCAC). This institution receives, analyzes, and mediates consumer complaints and undertakes preventive measures. The activities of the NCAC are carried out through regional consumer centers, which enable quick resolution of issues at the local level.¹²

When consumer rights are violated in Japan, mediation and arbitration institutions are widely used to resolve matters before reaching the courts. The Japan Consumer Support Organization (JCSO) and Alternative Dispute Resolution (ADR) centers actively participate in resolving disputes and conflicts arising from electronic contracts. For example, in 2021, of the more than 27,000 complaints handled by the NCAC, 35% were related to e-commerce, and most of them were resolved through

¹² <https://www.kokusen.go.jp>



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local arbitration mediation.¹³ This mechanism offers convenient, low-cost, and quick solutions for consumers. Japan's electronic mediation service operates on the basis of online application submission, remote hearings, and electronic document exchange. This was particularly relevant during the pandemic.

The Japanese government places great emphasis on alerting consumers about the risks of digital trade and on increasing their legal awareness. The NCAC regularly provides free consultations via the "Consumer Hotline 188", and it develops manuals and guides for consumers of different age groups. Furthermore, non-profit organizations also actively operate in this sphere in Japan. For instance, the Japan Association for Consumer Policy and the Japan Consumer Consultants Association participate in legal training, academic seminars, and initiatives for monitoring the enforcement of laws in the field of electronic commerce.

According to scholars, Japan's institutional system ranks among the most effective models for protecting consumer rights. For example, in his research, S. Matsushita states: "The proximity of legal services and rapid response mechanisms to the consumer makes it possible to protect them from unfair practices in the market."¹⁴ Additionally, the OECD in its 2023 report ranked Japan among the highest in institutional consumer protection.

Consumer rights protection in the field of electronic commerce in Japan is implemented at a high organizational level. State and non-state institutions work in cooperation, creating mechanisms that protect consumers in real time. Organizations such as the CAA and NCAC have effectively combined legislative, mediation, and advisory functions. It is this balance that ensures consumers remain legally protected even in a digital environment. This experience can be studied and adapted as an advanced model for countries like Uzbekistan.

¹³ https://www.caa.go.jp/en/publication/annual_report/

¹⁴ Matsushita, S. (2021). "Consumer Protection and ADR Mechanisms in Japan." *Asian Journal of Law and Society*, 8(2), P-248.



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