

Role of Consumer-Trader Alternative Dispute Resolution Bodies

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Abstract

The article presents the role of consumer-trader Alternative Dispute Resolution Bodies by explaining the benefits of their operational activity. The options for alternative resolution of consumer disputes in Bulgaria are considered. In this connection, the conciliation committees within the Commission for Consumer Protection and the European Online Dispute Resolution Platform are considered. Special attention is given to mediation as an effective way to resolve consumer disputes. The importance of mediation to preserve the relationship between consumers and traders is emphasized.

Keywords: consumer protection, consumer disputes, Commission for Consumer Protection, Online Dispute Resolution, conciliation committees, mediation

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Introduction

Every day, consumers look for a variety of products, and traders organize a variety of activities to ensure their supply and realization in the market. However, in quite a few cases, consumers and traders enter into disputes regarding the purchase and use of goods and services, after-sales service, warranty liability, the right to claim, unfair clauses in contracts, unfair trade practices and other circumstances that violate the rights of consumers. In these problematic situations, the role of the institutions working in the field of consumer protection is significant, which, in addition to administrative control methods, can also assist in the voluntary settlement of disputes between consumers and traders. The most important role in this regard is played by the bodies for alternative resolution of consumer disputes. They provide consumers and traders with impartial, transparent, efficient, independent, prompt and fair procedures for the resolution of consumer disputes.

The aim of this elaboration is to consider bodies for alternative resolution disputes arisen between consumers and traders. The benefits of the activity of these bodies are clarified. Special attention is given to mediation as a flexible and effective method of voluntary resolution of consumer disputes and its importance to preserve relationships between consumers and traders.

1. Consumer protection and alternative resolution of consumer disputes

Policy concerning consumer protection is provided by extensive legislation in the European Union (EU), which provides guarantees that citizens' rights will be respected when purchasing and using goods and services. At the same time, the EU is constantly updating, expanding and improving the legislation in this field, with the aim of creating even more favorable conditions for cooperation and increasing interaction among the various authorities and organizations related to consumer protection. The EU encourages and motivates institutions, traders, experts, consumers, etc. persons to actively participate in all possible procedures and processes related to consumer protection (Peteva, Dushkova, 2021), including through the use of alternative dispute resolution (ADR).

In Bulgaria, there are dozens of state institutions working in the field of consumer protection. Each institution has competences under certain laws and sectoral policies, and on this basis they specialize in a given area. These institutions maintain partnership relations with other state bodies of the executive power at the national level, as well as with non-governmental organizations. All institutions working in the field of consumer protection control the internal

market, assist in resolving disputes between consumers and traders (Peteva, Dushkova, 2021).

The main body in Bulgaria that implements consumer protection legislation and carries out administrative control is the Commission for Consumer Protection (CCP). Bulgarian law, through the Consumer Protection Act (CPA), provides another opportunity - for citizens to associate and form non-governmental consumer organizations (consumer associations). These organizations are economically independent from producers, importers, traders and suppliers and act exclusively in the interest of consumers (Zakon za zashtita na potrebitelite, 2022). They carry out a variety of activities through which they assist consumers, such as: helping them navigate in the market environment more easily; to protect themselves from dangerous and counterfeit products; to make an informed choice when purchasing and using goods and services, etc. (Dushkova, 2021).

In addition to the organizations mentioned, consumer protection is supported by the bodies for alternative resolution of consumer disputes. These bodies encourage consumers and traders to voluntarily resolve disputes arisen between them. Alternative dispute resolution offers an easy, fast and inexpensive way to resolve disputes between consumers and traders out of court (Direktiva za ARS za potrebiteli, 2022). Rules for the operation of the *conciliation procedure*, which together with *mediation* create opportunities for alternative resolution of consumer disputes, have been introduced in the CPA. The Directive on Alternative Dispute Resolution and its transposition into the CPA created a legal framework and an opportunity for organizations and individuals to carry out activities as bodies for alternative dispute resolution, including through the use of the platform for online mediation between the parties. These bodies meet strict EU quality criteria, respecting the principles of expertise, independence, impartiality, transparency, efficiency, fairness, freedom and legality (Direktiva za ARS za potrebiteli, 2022). Consumers' access to alternative dispute resolution is guaranteed, regardless of the type of consumer goods and services and the chosen purchase channel - physical store, direct marketing, e-commerce, etc.

In Bulgaria, the bodies for alternative resolution of disputes between consumers and traders are established and included in a list¹ (mi.government.bg, 2022), which is periodically updated. The activity of this body covers:

- consideration of arising national disputes² between consumers and merchants related to obligations, arising from concluded contracts for sale, including online, or for the provision of services, including the sale of digital content or its provision for payment (Zakon za zashtita na potrebitelite, 2022);
- consideration of cross-border disputes³, arising between consumers and merchants in relation to obligations, arising from concluded contracts for online sales or services by using an online dispute resolution platform (ODR) in accordance with the requirements of Regulation (EU) No. 524/2013 of the European Parliament and of the Council of 21 May 2013 on online resolution of consumer disputes and amending Regulation (EC) No. 2006/2004 and Directive 2009/22/EC (Regulation on ODR for consumers) (OJ, L 165/1 of 18 June 2013), hereinafter referred to as „Regulation (EU) No 524/2013“ (Zakon za zashtita na potrebitelite, 2022).

Alternative dispute resolution can be applied in various market sectors such as: transport, banking, telecommunications, energy, electronic products, household appliances, rental cars, etc. The ADR procedure is offered by neutral non-judicial bodies such as: conciliation bodies; mediation bodies; arbitration bodies; ombudsmen; complaint review committees.

¹ The list of recognized bodies for alternative dispute resolution between consumers and traders in the territory of the Republic of Bulgaria is available on the website of the Ministry of Economy and Industry.

² A national dispute is any dispute, arising in connection with a contract for the sale or provision of services where, at the time when the consumer orders the goods or services, he resides in the same Member State of the European Union in which the trader is established.

³ A cross-border dispute is any dispute, arising in connection with a contract for the sale or provision of services where, at the time when the consumer orders the goods or services, he resides in a Member State of the European Union other than the one in which the trader is established.

In Bulgaria, the procedure for alternative resolution of consumer disputes is mainly carried out by *conciliation committees*. Consumers have the following options (kzp.bg, 2022):

- to apply directly to the Commission for Consumer Protection for mediation through an application to a conciliation committee;
- to use the European Online Dispute Resolution (ODR) Platform⁴.

With regard to alternative dispute resolution, the Commission for Consumer Protection provides detailed information on the rules for conducting an ADR procedure in the field of consumer protection, provides consumers complex administrative services and digitized services, provides direct access to relevant document templates, such as submitting an application for mediation and assisting in the resolution of consumer disputes. At the same time, the CCP encourages traders to use alternative dispute resolution methods more actively. The commission provides an opportunity for each merchant to publicly declare their consent to participate in a conciliation commission. This information is maintained in a special register, uploaded on the website of the CCP. Currently, it includes dozens of companies operating in the field of economy and trade. Traders who have agreed to participate in an ADR procedure emphasize lawful activity, demonstrate a more transparent commercial policy, open communication, more loyalty, attitude and care towards consumers and society as a whole. The introduction of such a practice in the commercial business could be perceived as a strength and a competitive advantage - the image of the merchants is confirmed and the trust of consumers in them increases.

The conciliation committees within the Commission for Consumer Protection function as bodies for alternative dispute resolution. These committees are divided into sectoral and general. Sectoral conciliation committees deal with national and cross-border disputes between consumers and traders in the following sectors of the economy: energy, water supply and sewerage services, electronic communications and postal services, transport and financial services. General conciliation committees assist in the resolution of national and cross-border disputes between consumers and traders in connection with contracts for the provision of digital content and digital services, contracts for the sale of goods, incl. of goods containing digital elements, contracts for the provision of services, including in relation to warranty liability, the right to claim for goods or services, unfair terms in contracts, unfair commercial practices, provision of material information, travel services and contracts concluded with consumers. Each conciliation committee, after examining a dispute, prepares and accepts a conciliation proposal, which it sends to the parties (consumer and trader). They can approve or reject the proposal. The approval has the force of an agreement. It is important to note that it is possible to give enforceable force to the concluded agreement.

The European Online Dispute Resolution Platform is administered by the European Commission. It is a single access portal that helps all consumers and traders registered in Bulgaria or another EU/EEA country⁵, to settle disputes related to cross-border online purchases, as well as national ones. The platform aims to ensure a safer and fairer online shopping experience by providing quick and easy access to quality tools to resolve consumer disputes. Along with this, it provides an opportunity to expand the international cooperation of the national authorities for alternative dispute resolution with the relevant institutions and experts in this field.

In addition to the conciliation committees within the Commission for Consumer Protection, centers specializing in the alternative resolution of consumer disputes also operate on the territory of the country. Their activity is reduced to the following:

- accepting complaints from consumers regarding a consumer problem;

⁴ On the website of the Commission for Consumer Protection there is a link to the website of the European Commission with a consolidated list of bodies for out-of-court dispute resolution in each member state of the European Union.

⁵ The European Economic Area (EEA) unites the EU member states, and the three EEA member states Iceland, Liechtenstein and Norway.

- consideration of problems arising from the interaction between consumers and traders in connection with the purchase and use of goods and services, warranty service, claims, etc.;
- development of procedural rules for work in the field of alternative resolution of consumer disputes;
- provision of information to consumers and traders related to the ADR procedure in the field of consumer protection;
- providing an opportunity to exchange information between the parties in a consumer dispute;
- preparation of reports with information on the number of complaints received and the subject of disputes on them; the proportion of terminated ADR procedures and the reasons for their termination; the average length of procedures for ADR, etc.;
- establishment of membership in a network of alternative dispute resolution bodies, including international cooperation with relevant institutions and experts in the field of alternative dispute resolution, in order to facilitate cross-border resolution of consumer disputes, etc.

Apart from the mentioned activities, these centers also carry out other activities, such as: studies and analyzes of problems that often arise between consumers and traders and lead to consumer disputes; conducting surveys and other research methods in the field of alternative dispute resolution; making recommendations to prevent or solve consumer problems; implementation of projects in the field of alternative dispute resolution; organizing and conducting mediation and conciliation procedures; organizing seminars and other methods of training traders and experts about the new moments in legislation related to consumer protection and alternative dispute resolution methods; organizing seminars for the exchange of good practices in the field of consumer protection; publishing brochures and organizing information campaigns to raise awareness in the field of alternative resolution of consumer disputes.

In summary, we can point out the following main benefits of the activity of the bodies for the alternative resolution of disputes arising between consumers and traders:

- improvement of the policy in the field of consumer protection through studies of consumer problems and preparation of recommendations for their prevention or solution;
- raising awareness in the field of alternative dispute resolution;
- encouraging traders to more active communication with consumers;
- encouraging consumers and traders to voluntarily resolve disputes, arisen between them;
- maintaining relationships between consumers and traders;
- providing quick and easy access to quality tools for solving consumer disputes;
- expansion of international cooperation of national bodies for alternative dispute resolution with relevant institutions and experts in this field;
- facilitating the cross-border resolution of consumer disputes;
- saving time and costs for filing complaints about violated consumer rights;
- reducing the number of legal disputes related to consumer disputes, etc.

2. Alternative Dispute Resolution Bodies of consumer disputes

There are dozens of bodies for alternative resolution of consumer disputes operating on the territory of the country. Each body deals with disputes initiated by consumers against traders and is competent in certain market sectors. Depending on the subject area of the dispute and other features, the process may be of different duration, and the procedure may be written or oral; require the physical presence of the parties or be conducted online; to bring the disputants to settlement or other results. It is important to note that consumer alternative dispute resolution bodies encourage consumers, before proceeding to a formal procedure, to contact the trader and try to resolve the issue between themselves. Table 1 presents Alternative Dispute Resolution Bodies of consumer disputes, which are operating on the territory of the Republic of Bulgaria.

Table 1. Alternative Dispute Resolution Bodies of consumer disputes (ec.europa.eu, 2022)

№	Conciliation Committees and Centres⁶	Competent sectors and types
1	General Conciliation Committee within the Commission for Consumer Protection based in Sofia	<p><i>Consumer Goods:</i> Clothing (including tailor-made goods) and footwear; House maintenance and improvement goods; Furnishings; Large domestic household appliances (including vacuum cleaners and microwaves); Small domestic household appliances (including coffee machines and food-processing appliances); Electronic goods (non-ICT/recreational); Information and communication technology (ICT) goods; Leisure goods (sports equipment, musical instruments, etc.); New cars; Second-hand cars; Other personal transport; Spares and accessories for vehicles and other means of personal transport; Books, magazines, newspapers, stationery (excluding postal delivery); Electrical appliances for personal care; Jewellery, silverware, clocks, watches and accessories; Baby and child care articles; Other.</p> <p><i>Education:</i> Schools; Language, driving instruction and other private courses; Other.</p> <p><i>General Consumer Services:</i> Real estate services; Construction of new houses; House maintenance and improvement services; House removal and storage; House cleaning services; Personal care services; Cleaning, repair and hiring of clothing and footwear; Support, research and intermediary services; Maintenance and repair of vehicles and other transport; Legal services & accountancy; Funeral services; Child care; Pet services; Other.</p> <p><i>Leisure Services:</i> Hotels and other holiday accommodation; Package travel; Travel agency services; Timeshare and similar; Restaurants and bars; Services related to sports and hobbies; Cultural and entertainment services.</p> <p><i>Transport services:</i> Railways; Transport infrastructure services; Rental services; Other.</p> <p><i>Other:</i> Other (Includes both goods and services).</p>
2	Conciliation Committee for payment disputes within the Commission for Consumer Protection	<p><i>Financial Services:</i> Financial Services - Payment account and payment services; Financial Services - Credit (excluding mortgage/home loans); Financial Services; Other.</p>
3	Conciliation Committee for disputes in the sector of road transport within the Commission for Consumer Protection	<p><i>Transport services:</i> Tram, bus, metro and underground; Taxi.</p>

⁶ All the mentioned entities are competent for disputes initiated by consumers against traders and the traders are established in Bulgaria.

4	Conciliation Committee for disputes in the sector of maritime transport within the Commission for Consumer Protection	<i>Transport services:</i> Sea, river, other water transport; Transport infrastructure services.
5	Conciliation Committee for disputes in the sector of water supply and sanitation services within the Commission for Consumer Protection	<i>Energy and Water:</i> Water
6	Conciliation Committee for disputes in the sector of air transport within the Commission for Consumer Protection	<i>Transport services:</i> Airlines; Transport infrastructure services.
7	Conciliation Committee for disputes in the field of activities and services under Article 5(2) and (3) of the Markets in Financial Instruments Act and under Article 86(1) and (2) of the Collective Investment Schemes Act)	<i>Financial Services:</i> Investments, pensions and securities; Insurance; Other.
8	Conciliation Committee for disputes in the sectors of supplemental social security and social security mediation, and distance provision of financial services in these sectors	<i>Financial Services:</i> Investments, pensions and securities; Insurance; Other.
9	Conciliation Committee for disputes in the sector of electricity within the Commission for Consumer Protection	<i>Energy and Water:</i> Electricity; Other energy sources.
10	Conciliation Committee for disputes in the sector of electronic communications within the Commission for Consumer Protection	<i>Postal services and electronic communications:</i> Fixed telephone services; Mobile telephone services; Internet services; Television services; Other communication services.
11	Conciliation Committee for disputes in the sector of railway transport within the Commission for Consumer Protection	<i>Transport services: Railways:</i> Transport infrastructure services.
12	Conciliation Committee for disputes in the sector of insurance and insurance mediation including distance provision of financial services within the Commission for Consumer Protection	<i>Financial Services:</i> Non-life Insurance - Home and property; Non-life Insurance – Transport; Non-life Insurance – Travel; Non-life Insurance - Health, accident and other; Insurance – Life.
13	Conciliation Committee for disputes in the sector of postal services within the Commission for Consumer Protection	<i>Postal services and electronic communications:</i> Postal services & couriers.
14	Conciliation Committee for disputes in the sector of natural gas within the Commission for Consumer Protection	<i>Energy and Water:</i> Gas; Other energy sources.
15	Conciliation Committee for disputes in the sector of financial services including distance provision of financial services in relation to consumer loans and mortgages	<i>Financial Services:</i> Financial Services - Credit (excluding mortgage/home loans); Financial Services - Mortgages / Home loans.

16	„Consensus” Alternative Dispute Resolution Centre	<i>Consumer Goods; Energy and Water; Financial Services; General Consumer Services; Postal services and electronic communications; Transport services.</i>
17	„NAIS” Alternative Dispute Resolution Centre of the National Association for Extrajudicial Settlements	<i>Consumer Goods; Education; Energy and Water; Financial Services; General Consumer Services; Health (Over-the-counter medication; Retirement homes and home care); Leisure Services; Postal services and electronic communications; Transport services.</i>

In addition to Alternative Dispute Resolution Bodies of consumer disputes, included in Table 1, *Ombudsman of the Republic of Bulgaria and consumer associations* have a significant role in this field. The ombudsman is a high and independent constitutional body and aims to receive and consider complaints and signals from citizens, carry out inspections on his own initiative, mediate between affected parties, express opinions, make recommendations and proposals, etc. (ombudsman.bg, 2022). At any time when dealing with a complaint or report, the ombudsman may offer to mediate a voluntary settlement of a case between the parties concerned. In the event that both parties accept mediation, the ombudsman provides comprehensive assistance in resolving the dispute. For this purpose, he can hold a series of general or individual meetings with the parties. During the meetings at each stage, the ombudsman listens to the opinions of the parties and assists them in the process of overcoming differences by all possible means, including offering them a way to resolve the dispute (Pravilnik za organizatsiyata i deynostta na ombudsmana, 2022).

Consumer associations are non-governmental organizations that aim to help protect consumers. Their rights are reduced to the following legal possibilities (Zakon za zashtita na potrebitelite, 2022): receiving information about draft legal acts concerning the rights and interests of consumers, and they can give opinions on them; informing the control authorities about cases in which consumers' rights have been violated; receiving information from the state and municipal bodies about projects of methodologies for the pricing of public services related to heat supply, electricity supply, water supply and sewage, transport, postal messages and electronic messages; offering all control bodies the performance of inspections, analyzes and tests of goods and services; assistance in resolving disputes that have arisen between consumers and traders (representatives of consumer associations participate as members in the conciliation committees of the Commission for Consumer Protection); referral to the court for violation of the rights and interests of consumers; conclusion of collective agreements with traders' associations.

In summary, throughout the country operate conciliation committees, which are administered by the Commission for Consumer Protection. Apart from them, two centers for alternative resolution of consumer disputes have been established. Ombudsman of the Republic of Bulgaria and consumer associations also have an important role in this field.

3. Mediation as an effective way to resolve consumer disputes

The discussed issues show that the Alternative Dispute Resolution Bodies play a significant role in the field of consumer protection. They carry out activities that emphasize their active position for the protection of consumers and for the voluntary resolution of disputes arisen between

consumers and traders. Alternative dispute resolution bodies, on the one hand, encourage consumers to share problems and reasons for dissatisfaction with a purchase and use of goods and services, as well as other problems that violate their consumer rights. On the other hand, they encourage traders to receive feedback from consumers and to participate more actively in voluntary consumer dispute resolution procedures.

Consumer disputes usually begin after the sale has been completed. Prerequisites for their occurrence may be unequal clauses in contracts; unfair trade practices; incorrect attitude of traders regarding: the right to claim, warranty service, the term of delivery of goods and all other cases in which the actions of traders are detrimental to the economic interests and rights of consumers. Most often, these actions and the resulting consumer disputes are manifested in the process of after-sales service – the last stage of a sale⁷.

The last stage of a sale covers a wide range of activities - from making contact after the sale, accepting and responding to complaints, to regular contacts for offering new products, invitations to participate in various events, greeting cards, etc. (Dimitrova et al., 2011). This stage of the sales process should establish the customer's level of satisfaction/dissatisfaction with the purchase, the factors influencing it and lay the foundations for a positive relationship (Dimitrova et al., 2011). It should be borne in mind that at this stage the relationship between consumers and traders is most vulnerable. At the same time, after-sale activities are a criterion for success and a means of reducing the so-called cognitive dissonance experienced by a large number of consumers after a purchase (Dimitrova et al., 2011). Usually, after the sale, consumers have specific expectations from the traders, both in terms of fulfilling the obligations arising from the concluded sales contracts, and in terms of other actions after the sale, such as receiving additional information, assistance from the traders, etc. In these and other cases where consumer rights are violated, consumers can use all possible ways to protect their economic interests and rights. Today, consumers are activists - they have their opinion on all issues and in all spheres of public life (Peteva, 2021), they can turn to the competent institutions, seek assistance from other bodies and organizations/associations related to consumer protection, including seeking help by a mediator and participate in a mediation procedure. In the field of consumer protection, mediation can be used as a method of alternative resolution of consumer disputes.

Mediation is a voluntary and confidential out-of-court dispute resolution procedure in which a third-party mediator assists disputing parties to reach an agreement. The subject of mediation may be civil, commercial, labor, family and administrative disputes related to consumer rights, and other disputes between individuals and/or legal entities, including when they are cross-border (Zakon za mediatsiyata, 2022). Among the indicated problem areas, the most significant and effective is the application of mediation in commercial disputes, labor disputes and consumer disputes (pamb.info, 2022). Practice shows that more than 80% of mediations held in the field of consumer disputes end with an agreement between consumers and traders. In over 80% of cases, the agreement is implemented voluntarily, as the parties themselves have judged that it meets their interests (nais.bg., 2022). To some extent, these facts give reason to assume that mediation is an effective way to resolve consumer disputes while helping to preserve the relations between consumers and traders. The mediator has a key role in this process. He organizes and coordinates the mediation procedure according to the Law on Mediation and by-laws, applies the so-called soft skills in negotiations with the affected parties, ensures compliance with the principles of mediation. The principles of mediation are (Zakon za mediatsiyata, 2022):

- Principle of voluntariness and equality
- Principle of neutrality and impartiality
- Principle of confidentiality

⁷ The main stages in the sales process include prospecting for customers; preparation for sale; approach to the client and presentation of an offer; detecting and responding to objections; closing the sale; after-sale actions.

Voluntariness and equality. The parties have equal opportunities to participate in the mediation procedure. They participate in the procedure at their own will and can withdraw at any time. In the absence of agreement, each of the parties has the right to terminate the procedure, without legal consequences. Mediation may or may not result in an agreement that binds only the disputing parties and binds them only to what they have agreed upon.

Neutrality and impartiality. The mediator is impartial and does not impose a decision on the dispute. In this sense, the mediator protects the interests and needs of both parties and aims to reach an agreement in which there is no losing party (application of the „win-win“ rule). In the mediation procedure, all issues are settled by mutual agreement of the parties. Therefore, the main tasks of the mediator are to create a favorable environment between the participants in the dispute, to facilitate communication between them, to make communication more flexible, to assist the parties in reaching a mutual agreement, and in a broader sense also in the context of consumer disputes to restore and maintain relationships between consumers and traders.

Confidentiality. Dispute related discussions are confidential. The participants in the mediation procedure are obliged to keep confidential all circumstances, facts and documents that become known to them during the procedure. In addition, the mediator cannot communicate to the other participants in the procedure circumstances that concern only one of the parties to the dispute, without its consent.

The considered principles of mediation, namely: voluntariness, equality, neutrality, impartiality and confidentiality, contribute to the affirmation of mediation as an effective and flexible method of alternative dispute resolution. In the context of consumer disputes, mediation ensures that consumers and traders are on an equal footing in the negotiation process. The parties voluntarily participate in this process, discuss the possible outcomes of the outcome of the dispute, can exercise control over the final decision that they will have to implement. At the same time, the participants in the dispute receive assistance from a neutral and impartial person (mediator). The mediator supports and motivates consumers and traders in reaching a mutual agreement, helps to preserve their relationships. The mediation procedure is confidential – consumers and traders keep their personal and commercial secrets. In addition to these advantages, it should be noted that it is possible to conduct mediation online through the use of web-based online dispute resolution systems. This saves time and costs for consumers and traders, helps to overcome their territorial distance, facilitates faster resolution of consumer disputes.

From the point of view of the advantages described, it could be said that it is possible to use mediation as a flexible and effective method for alternative resolution of consumer disputes. At the same time, mediation provides an opportunity to improve and preserve the relations between consumers and traders. It should be noted that the present elaboration does not exhaust all mediation possibilities and advantages, which could help consumers and traders in resolving consumer disputes.

Conclusion

In conclusion, we can say that ADR bodies play an essential role and help to achieve substantial benefits in the field of consumer protection. They facilitate the voluntary resolution of disputes arising from the interaction between consumers and traders, in connection with problems with the purchase and use of goods and services, after-sales service issues, etc. Conciliation committees within the Commission for Consumer Protection are of leading importance in the field of alternative resolution of consumer disputes. Apart from them, there are centers specialized in this field operating throughout the country. At the same time, the European platform for online dispute resolution can be used, including for problems related to cross-border online purchases. The role of Ombudsman of the Republic of Bulgaria and consumer associations is significant.

In practice, mediation could be affirmed as an effective and flexible method used for alternative resolution of consumer disputes. This procedure is voluntary. It is distinguished by advantages that provide more opportunities for consumers and traders to find a common interest and reach a mutual agreement in the negotiation process. The mediator has a key role in this process, guaranteeing his independence, impartiality and neutrality. The expected results from the application of mediation, in the field of alternative resolution of consumer disputes, are mainly related to the consumer protection and preservation of relations between consumers and traders.

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