

Measuring the Effectiveness of Public Consumer ADR Schemes

Assessing Evidence from the Greek Consumer Ombudsman

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Abstract

The resolution of disputes lies at the heart of every system of justice. Unfortunately, bottlenecks at courts tend to make tribunal procedures quite lengthy and therefore sometimes unattractive. Also, not all disputes are brought before courts if appealing costs are highly disproportional to the value of claims, at the expense of the latter. Clearly, the situation may harm the prestige of justice by giving the impression that it cannot always serve a fast and fair solution to all needy citizens. The growing area of consumer disputes has been experiencing the consequences of stiff and expensive court systems and has long been searching for a new resolution medium. Satisfaction of such a need would benefit not only single consumer-trader relationships but economic development in general, since it relies largely on the outcomes of a robust and healthy commerce. In many countries in and outside the European Union, the modern institutional reaction to this exploration has led to the realms of the 'alternative resolution of consumer disputes'. What is it and how truly accessible and effective can it be? How is it performed, what outcomes can it produce and, in the final analysis, why and to what extent could it be preferable to courts? The present article will illustrate answers to such questions by making explicit evaluative references to the most basic operational aspects and productive outcomes of Greece's single public ADR entity, the Greek Consumer Ombudsman.

Keywords: European Union, Greece, consumer disputes, mediation, alternative dispute resolution.

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1 Alternative Resolution of Consumer Disputes: A Political Choice

The consumer-trader relationship is antagonistic by nature and generates conflicts that beg for settlement. Traditionally, depending on the gravity of the conflict and the value of opposing interests, resorting to judicial means constitutes an option for parties seeking redress, although not always the most attractive one, especially when claims are relatively small and thus discourage engagement in costly and lengthy resolution actions before courts.

The alternative resolution of consumer disputes (hereafter ‘consumer ADR’) promises to battle inevitable shortcomings and covers all flexible methods and possible types (arbitration, mediation, conciliation, negotiation) of an amicable settlement of contractual conflicts between traders and consumers.¹ Alternative dispute resolution, as such, is commonly defined as any process or procedure for resolving a dispute, other than adjudication by a judge in a statutory court.²

Consumer ADR has been a visible and passionate trend for more than a couple of decades in quite many legal European Union texts³ and outside the European Union as well (OECD 2006). In the European Union, in particular, the trend mirrors a strategic decision within a long-term central economic planning, focusing on the growth of online and cross-border commerce in the Single Market as the result of enhanced trust and safer contractual relations between consumers and traders. For European consumers and businesses alike, the attractiveness of consumer ADR is reflected mainly in potential financial savings thanks to the avoidance of courts and associated high expense,⁴ not underestimating, of course, that time for settling

- 1 Disagreements running through the drafting, conclusion, interpretation and execution of sale contracts that ultimately affect the implementation of rights and obligations of contractual parties.
- 2 Rozdeiczner, L. and Alejandro Alvarez de la Campa, A. (2006). *Alternative Dispute Resolution Manual: Implementing Commercial Mediation*. Washington, DC: The World Bank Group, <https://documents1.worldbank.org/curated/en/922161468339057329/pdf/384810ADR1Manu111Mediation01PUBLIC1.pdf>.
- 3 See: The Green Paper ‘Access of consumers to Justice and the settlement of consumer disputes in the Single Market’ [COM(93) 576 final, 16 November 1993], the Commission Recommendation of 30 March 1998 on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes, the Council Resolution of 28 June 1999 on Community consumer policy (1999/C 206/01), the Resolution on the Communication from the Commission on a consumer policy action plan 1999-2001 (COM(98)0696 – C4-0035/99), the Council Resolution of 25 May 2000 on a community-wide network of national bodies for the extra-judicial settlement of consumer disputes (2000/C 155/01), as well as the Commission Recommendation of 4 April 2001 on the principles for out-of-court bodies involved in the consensual resolution of consumer disputes (2001/310/EC).
- 4 Estimated, respectively, in around € 20 billion and € 3 billion. European Commission. (2011a). *Commission Staff Working Paper: Impact Assessment, document accompanying the Proposal for a Directive of the European Parliament and of the Council on Alternative and Online Dispute Resolution*. Brussels: SEC(2011) 1408 final.

disputes can be shortened considerably compared with court processes, adding extra value to the service.⁵

In March 2013, the European Parliament voted to support new legislation to provide for full consumer ADR coverage at the European Union level with a view to being transposed into domestic law orders of Member States by mid-2015. The vote confirmed the political agreement reached in December 2012 on the legislative proposal put forward by the European Commission in 2011. European legislative initiatives concluded with Directive 2013/11/EU, coupled with Regulation (EU) 524/2013 and Implementing Regulation (EU) 2015/1051 on the online dispute resolution of consumer disputes, conclusively introducing the formal obligation of Member States to ensure citizens' access to unbiased, impartial, reliable, simple, effective, fast and low or completely cost-free consumer ADR services that can be offered in an institutionally harmonized manner. Before that, there were over 750 consumer ADR schemes operating in the European Union, embracing diverse cultural and political traditions and featuring a mosaic of various titles, different organizational structures, divergent operational attitudes and uneven market coverage levels.⁶

1.1 The Development of Consumer ADR in Greece

Early traces of consumer ADR in Greece are to be found in law 2251 of 1994,⁷ introducing the amicable settlement of consumer disputes by regional committees established on the local government level. Not questioning benign and visionary intentions of the national legislature at that time, it turned out that the allocation of insufficient or no funds at all,⁸ combined with a severely dysfunctional administrative structure and, possibly, lack of faith in the success of this exploratory attempt, rendered the whole project spiritless; poorly productive or effective; rather unfamiliar to consumers, traders and various stakeholders; and, consequently, doomed to fail.

State persistence to set up a functional consumer ADR mechanism coincided with a second initiative tenyears later, with law 3297 of 2004 establishing the

- 5 Knudsen, L. F. and Balina, S. (2014). 'Alternative Dispute Resolution Systems across the European Union, Iceland and Norway', *Procedia – Social and Behavioral Sciences*, 109, pp. 944-948. Love, I. (2011). 'Settling Out of Court: How Effective is Alternative Dispute Resolution?', *Viewpoint: Public Policy for the Private Sector*. Note No. 329, Washington, DC: World Bank, <https://openknowledge.worldbank.org/handle/10986/11055>. Investment Climate Advisory Services of the World Bank Group. (2011). *Alternative Dispute Resolution Guidelines*. Washington, DC: The World Bank Group, <https://documents1.worldbank.org/curated/en/108381468170047697/pdf/707630ESW0P1160BLIC00153220ADR0Web.pdf>. Benöhr, I. (2013). 'Consumer Dispute Resolution after the Lisbon Treaty: Collective Actions and Alternative Procedures', *Journal of Consumer Policy*, 36(1), pp. 87-110.
- 6 Civic Consulting of the Consumer Policy Evaluation Consortium – CPEC. (2009). *Final Report to DG SANCO – Study on the Use of Alternative Dispute Resolution in the European Union*. Berlin. Hodges, C. and Creutzfeldt, N. (2013). 'Implementing the EU Consumer ADR Directive', *Policy Brief, Oxford: The Foundation for Law, Justice and Society*, www.law.ox.ac.uk/sites/files/oxlaw/implementing_the_adr_directive.pdf. Knudsen, L. F. and Balina, S. (2014). 'Alternative Dispute Resolution Systems across the European Union, Iceland and Norway', *Procedia – Social and Behavioral Sciences*, 109, pp. 944-948.
- 7 Government Gazette 191 A' of 16 November 1994.
- 8 Committees were composed by entirely non-paid and, thus, unmotivated members.

Συνήγορος του Καταναλωτή (Greek Consumer Ombudsman. Hereafter GCO).⁹ The new attempt was better conceived, more thoroughly designed and more elaborately executed because this time the government opted for a prestigious consumer ADR scheme in the form of an Independent Authority,¹⁰ endowing it with undisputed impartiality, strong autonomy guarantees and a powerful mandate, ensuring at the same time financial self-sufficiency, adequacy of material resources and a highly skilled human capital motivated by higher (compared with other public servants) monthly earnings. The new institution was also given a discrete yet critical supervisory role over pre-existing regional consumer ADR committees with a view to reviving them from inactiveness, upscaling their prestige and boosting their effectiveness, thus becoming an all-encompassing, comprehensive, umbrella-type consumer ADR entity of the public sector.

The state's turn towards the adoption of new machinery merits particular attention, for consumer ADR in Greece became better institutionalized, with a stronger focus, clearer profile, more powerful mandate, warmer political support and, ultimately with pervasive influence to stakeholders, which was very close, if not identical, to what the European Union envisaged in all Member States with the new ADR legislation. Taking GCO as a typical example of a public ADR entity with nearly two decades' experience, this article will attempt to provide insightful views on the invoked justification of the compulsory character of formal consumer ADR EU-wide, as well as onto expected levels of the importance, usefulness and effectiveness of implementing bodies.

2 The Greek Consumer Ombudsman

GCO offers absolutely cost-free consumer ADR services to Greek and European citizens facing disputes with domestic traders and operates on three fundamental pillars: mediation, advisory guidance and public accountability.

Mediation is the key function of GCO after submission of a complaint and aims at consensus building. At first, there is a formal dialogue process between disputing parties, allowing them to freely present arguments and points of view. If disagreement is worryingly persistent and seriously undermines consensual settlement, GCO embarks more actively on the dispute, in order to guide parties through negotiation, legal consultation and persuasion towards voluntarily adopting milder positions that will help reach reconciliation.

CO goes on to recommend a fair solution to the dispute, when all attempts for compromise have unsuccessfully been exhausted. Recommendations are non-binding and are not imposed on the parties. Rather, they serve as a salutary way out towards resolving the dispute, departing from the axiom that agreed solutions based on a fair balance of opposing interests are more likely to meet

9 Government Gazette 259 A' of 23 December 2004.

10 Independent Authorities have emerged in the Greek legal system since the 1980s as formations with administrative independence and a mandate to regulate either the exercise of a constitutional right or a whole economic activity area in liberalized markets, previously under state ownership and/or control.

parties' increased compliance and commitment to implementation.¹¹ At worst, if compliance is utterly unattainable, GCO recommendations can go public for raising public awareness and self-protection levels of consumers against unfair and abusive commercial practices, especially when these are latent and systematic. This is largely the case in Nordic states, where non-adhering traders are 'named and shamed' in public media.¹² The idea is to elicit the resolution of disputes, while deterring future occurrence of wrongful behaviour by making traders susceptible to the negative consequences of defamation caused by broad media exposure.

Public accountability, typical for independent bodies in order to ensure transparency and trustworthiness,¹³ is facilitated by the frequent circulation of Press releases and the wide dissemination of annual, biannual and other special reports, which are also discussed before the Parliament. Reports and Press releases aim not only at strengthening general levels of consumer protection, problem-solving and future behaviour modification of traders or even of whole market sectors but also at making GCO publicly answerable to the fulfilment of its state-assigned mission.

3 General Assessment Framework of Consumer ADR Entities

Performance measurement of public sector organizations is an increasingly important choice, stemming from the pressing demand for constant and systematic supervision of their effective operation and for ensuring that they meet their mission objectives and expected service levels.¹⁴

A similar demand cannot help being valid for public consumer ADR schemes, whose proper functioning (efficiency) and quality of whose services provided to consumers and traders (effectiveness) are core elements that the European Union wishes to be closely monitored by competent authorities of Member States.¹⁵ Monitoring the performance of consumer ADR schemes serves as a powerful reporting tool to implementing institutions, governments and main stakeholders,

11 World Bank 2011.

12 Hodges and Creutzfeldt 2013.

13 Scott, C. (2000). 'Accountability in the Regulatory State', *Journal of Law and Society*, 27(1), pp. 38-60. Bovens, M. (2007). 'Analyzing and Assessing Accountability: A Conceptual Framework', *European Law Journal*, 13(4), pp. 447-468. Scholten, M. (2011). 'Independent, Hence Unaccountable? The Need for a Broader Debate on Accountability of the Executive', *Review of European Administrative Law*, 4(1), pp. 5-44.

14 Propper, C. and Wilson, D. (2003). 'The Use and Usefulness of Performance Measures in the Public Sector', *Oxford Review of Economic Policy*, 19(2), pp. 250-267. De Bruijn, H. (2007). *Managing Performance in the Public Sector*, 2nd revised edition. London: Routledge. Spekle, R. F. and Verbeeten, F. H. M. (2009). 'The Use of Performance Measurement Systems in the Public Sector: Effects on Performance', *Research Paper No. 09-08*, Netherlands: Nyenrode Research & Innovation Institute (NRI), <https://iranarze.ir/wp-content/uploads/2016/10/E2453.pdf>.

15 European Commission. (2011b). *Proposal for a Directive of the European Parliament and of the Council on Alternative Dispute Resolution for Consumer Disputes and Amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC*. Brussels: COM(2011) 793 final.

also giving recognition to their work and achievements.¹⁶ Designated assessment criteria put forward by the European Union in this regard are mainly the following:

- The approximate length of consumer ADR procedures: The European Union considers ADR procedures to be effective, whereas consumer disputes can be resolved within an average time of 90 calendar days after submission of a complaint, excluding more complex disputes, for which this time framework may be reasonably extended.
- The outcome of consumer ADR procedures: Although the variables of the term ‘outcome’ are not given a clear definition in the European Union legal documents, we can reasonably define as ‘positive outcome’ the settlement of disputes and as ‘negative outcome’ the complete inability to reach settlement, despite all conciliatory efforts.
- The rate of compliance with outcomes of consumer ADR procedures: Compliance with all sorts of decisions, recommendations, etc. issued by consumer ADR entities for the settlement of disputes, especially when these are non-binding and are not imposed on involved parties, is of outmost importance, for it reveals general levels of public recognition, spontaneous acceptance of recommended solutions, credibility and confidence of stakeholders towards the work of consumer ADR entities.

Apart from the length of consumer ADR procedures, which consists of a clear pre-established target to be pursued by ADR entities, the remaining two assessment criteria set by the European Union actually pertain to objectives that cannot be specified unambiguously in advance but that rather serve to codify imponderable results of consumer ADR procedures.

Besides that, consumer ADR procedures are, in fact, an investment in the eyes of the European Union, which emphatically embraces the idea that they can return value in the form of avoiding courts for the settlement of consumer disputes (‘indirect return on investment’). A question, hereby, that deserves particular attention and needs further inquiry is whether consumer ADR procedures can also return a direct financial worth to rightful beneficiaries (‘positive return on investment’).

To answer that, we propose a linkage between (a) the budgetary cost of running a public consumer ADR entity and (b) the immediate economic returns for beneficiaries of consumer ADR procedures. Immediate returns, in this respect, are considered as supplementary to indirect savings and refer, as such, to any economically measurable remedy granted to consumers by coming-to-terms traders in the context of an amicably resolved dispute (*i.e.*, from having a good turned out to be faulty replaced or its price reduced, to granting compensation to a consumer for a service partially delivered or for damages suffered). This should be, truly, an interesting as much as critical connection, considering the need to view consumer ADR not only as a modern alternative to traditional judicial means or from a single money-saving perspective, but also as an effective medium in

16 World Bank 2011.

money-gaining terms for involved parties, departing from the general axiom that consumer disputes are mostly economic at heart.

Taking consumer ADR entities as public bodies receiving state funds, there should be a reasonable evaluation process with a concrete focus on results; not just theoretical (social), but practical (economic), as well. In fact, Schell¹⁷ thinks of it as an imperative duty towards society, especially because next to an increased interest in understanding the efficiency of delivery and implementation, there is an increased emphasis on looking at outcomes of programmes initiated by political choice. The growing social pressure on governments to show how public funds are being used and what is their clear relation to tangible results and productivity works as a powerful driver in an era of drained budgets and limited resources, leading new public sector strategies more and more towards the measurement of implemented programmes in a cost-benefit manner next to other – certainly useful – evaluation criteria and points of view.

Approaching the operation of public consumer ADR schemes from the additional angle of positive economic returns, thus covering the value of cases referred to a consumer ADR entity from any possible viewpoint, could provide a further justification basis for European Union's meticulous legislative concern in this fashionable field, fuelling, at the same time, a reasonable demand to explore whether tax payers' money spent on public consumer ADR schemes is indeed money worth spending.

4 Self-assessment of the Greek Consumer Ombudsman: Integrity of the Appraisal System and Presentation of Evaluation Findings¹⁸

Performance measurement involves the continuous collection of data on progress made towards achieving explicit and measurable targets and objectives.¹⁹ So the most basic concern of an organization after drafting its assessment framework is the extraction of credible quantitative and qualitative data that is to be used for the specific purposes of evaluation. Data should be comprehensible, comparable and able to answer the evaluation questions aptly.

GCO has developed a sophisticated internal monitoring information system (MIS) to manage the bulk of received complaints in an electronic and tidy manner. The system allows for (a) keeping constant track of the flow of consumer disputes and their associated documentation, (b) categorizing types of complaints, to which

17 Schell, S. (2011-2012). 'Measuring Value in the Public Sector: When Allocating Funds, There Needs to be an Evaluation Process with a Focus on Results', *Summit Magazine on Public Sector Purchasing*, December-January Issue, Canada.

18 Data extracted from GCO Annual Reports of 2015, 2016, 2017, 2018, 2019, 2020 accessible at www.synigoroskatanaloti.gr/stk_YReports.html.

19 Newberry, S. and Pallot, J. (2004). 'Freedom or Coercion? NPM Incentives in New Zealand Central Government Departments', *Management Accounting Research*, 15, pp. 247-266. Bevan, G. and Hood, C. (2006). 'What's Measured is What Matters: Targets and Gaming in the English Public Health Care System', *Public Administration*, 84, pp. 517-538.

disputes are related, and market sectors, to which they refer,²⁰ (c) browsing cases and retrieving data by single or multiple search criteria, (d) monitoring the progress of cases at all stages, (e) measuring the time spent on various process stages, from the moment of submission up to the final closure of cases, (f) recording the economic value of dispute solutions, (g) converting the foregoing easily into usable metrics and statistics. The system also features an automated capacity to notify users in real time about possible invalid or inadequate entries, thus further safeguarding the accuracy and reliability of extracted data.

This MIS has been fully and properly functional since 2010. Therefore, data to be used for investigating purposes of this article will refer to a period of 6 consecutive years (2015-2020). This reference period is considered long enough for reaching fairly indicative conclusions, which may further work as a guide for the examination of the effectiveness of other similar public consumer ADR schemes.

4.1 *Approximate Length of GCO's ADR Procedures*

During 2015-2020, GCO has received 54.737 written requests for the amicable settlement of consumer disputes, assigned for handling to 28 members of staff (Table 1). Average resolution time hits 84 days. Correlation of the number of disputes per case-handler is essential, because it directly affects the expected length of ADR procedures. Therefore, to ensure promptitude of ADR procedures, particular attention is expected to be paid to a satisfactory numeric analogy between disputes and case-handlers.

Table 1 *Overview of GCO disputes per year and case-handler*

Year	Disputes	Disputes/handler
2015	5.387	192
2016	7.067	252
2017	8.980	320
2018	10.017	358
2019	11.343	405
2020	11.943	426
2015-2020	54.737	1.955

GCO employs, by internal regulation,²¹ a quality benchmark to pursue the resolution of disputes within a time frame of ninety calendar days, which is in conformity with European Union standards as regards the desired approximate length of consumer ADR procedures in Member States. To make sure that this goal is reached, GCO keeps constant track of the average time necessary to resolve disputes, including delays caused occasionally by uncooperative and/or reluctant traders (fortunately, a minority, taking into account that trader participation levels are relatively high, reaching up to 93%).

20 Classification and Reporting of consumer complaints and enquiries by GCO follows Commission Recommendation of 12 May 2010 on the use of a harmonized methodology [C(2010)3021 final].

21 Government Gazette 91 A' of 14 April 2014.

This is, in fact, an extremely important finding in view of the optional character of ADR procedures, because it reveals the high trust and confidence levels shown by traders towards the integrity and the impartiality of mediation. It also verifies the axiom that dispute resolution entities operating as national consumer protection authorities, where state officials are in charge of the dispute resolution mechanism, are considered as unbiased representatives of consumer and trader interests, thus putting the objectivity and impartiality of the consumer ADR entity beyond any doubt.²²

4.2 Outcome of GCO's ADR Procedures

Table 2 gives a synoptic view of the outcome of GCO's ADR procedures.

Table 2 Outcome of GCO's ADR procedures

Year	Dispute general settlement rate	Dispute settlement rate per involved party
2015	82.04%	C* 72.53% T**9.52%
2016	82.53%	C 71.94% T 10.59%
2017	82.82%	C 71.69% T 11.13%
2018	82.96%	C 71.38% T 11.58%
2019	82.74%	C 71.12% T 11.62%
2020	83.12%	C 71.37% T 11.75%
2015-2020	82.7%	C 71.67% T 11%

* Disputes settled in favour of consumers (C).

** Disputes settled in favour of traders (T).

Conclusively, approximately eight out of ten disputes are successfully resolved. This is not an occasional but a steady and consistent achievement, indicating that most consumer disputes are prone to amicable settlement. Notably, effectiveness of ADR procedures satisfactorily spans disputes that refer to all market sectors, marking the highest percentages of resolved disputes in the sectors of postal services, electronic communications, transport services and education (financial services, insurance services and health services are, on the other hand, the market sectors with comparatively lower settlement percentages, although this percentage never falls under a quite satisfactory 70%).

22 See recital No. 24 of the 2013/11/EU Directive.

The truth is that some consumer disputes, because of their peculiar nature or because of the exceptionally high claims at stake, may surpass actual resolution capacities of an out-of-court mechanism with a purely mediatory and consultative mandate, and, for that reason, they should be better referred to tribunal procedures (e.g. regulation, arbitration, litigation, adjudication) or to other instruments with an enforcement mandate and binding outcomes for involved parties. A complete lack of consensus in reaching a mutually convenient solution, the exhibition of low good faith or the complete absence of a conciliatory spirit between disputing parties caused by broken relationships count as additional reasons why an amicable (out-of-court) settlement may, from time to time, prove really difficult to achieve.

Particularities that define specific market sectors (e.g. low liberalization rates, dominant suppliers, lack of serious and healthy competition) can also help explain reluctant attitudes of some traders towards consumer ADR, probably taking advantage of a fragile certainty that dissatisfied consumers have very few – if any – alternatives to turn to a new supplier or to a competitive product/service. This is generally the case with closed market sectors or sectors dominated by state or private monopolies, even though it is true that they are gradually decaying in Europe and the West. Not surprisingly, market sectors of extreme liberalization and fierce competition (postal services and electronic communications are a good example) exhibit the highest (above 90%) proportion of resolved disputes among all market sectors.

A critical conclusion not to be missed here pertains to the settlement of some disputes in favour of traders by an aggregate 11%. This not only helps explain the relatively high participation rate (93%) of traders to consumer ADR procedures, despite the lack of enforcement mandate and their fully optional and non-binding character, but also stands as proof of the integrity of public consumer ADR entities, by ensuring the rightful treatment of traders against unfounded consumer claims and also by drawing a rough line against an undesirable confusion of impartial ADR procedures with the mission of consumer unions and organizations, which, acting mainly as NGOs, are primarily dedicated to a unilateral promotion and a biased representation of consumer demands, irrespective of their validity.

4.3 Compliance Rates with Outcomes of GCO's ADR Procedures

Statistically, around 5% of disputes are more complex and require resorting to more elaborate mediation techniques for resolution. This percentage equals 2.737 cases out of a total 54.737 for the period under investigation (2015-2020). As a rule, case complexity is attributed to factors previously discussed as well as to an observed intensity of conflicting interests and a certain difficulty, for out-of-court standards, to prove the validity of claims put forward by disputing parties. Ultimate mediation means in these cases are (a) settlement conferences with involved parties, which are organized by GCO at its premises, and, finally, if settlement conferences fail to produce a mutually acceptable solution, (b) the issuance of written recommendations, which confer firm law-based assessments of the facts of a dispute and are publishable, if involved parts choose non-compliance (Table 3).

Table 3 *Acceptance rate of issued recommendations per year*

	2015	2016	2017	2018	2019	2020	Overall
Accepted recommendations (%)	38.6	36	34.6	31.9	29.8	28.8	33.2

Disputes, for which a written recommendation has been issued, are being resolved by an aggregate 33.2%. Even though this achievement does not sound very impressive, it still remains a valued outcome for disputes that, by definition, exhibit very low inclination to consensual settlement. The fact that ADR procedures elicit the settlement of complex disputes even at a low '1 out of 3' rate seriously contributes to the improvement of the functioning of the formal court system by reducing the number of court cases filed and by thus alleviating bottlenecks in courts. In any case, it remains an important fact that consumer ADR is not a perfect substitute for courts for all sorts of disputes and that non-adherence to recommendations may be connected with involved parties' deeply rooted perceptions that their case might have had a better treatment before a judge.

4.4 Positive Economic Returns of GCO's ADR Procedures

Money directly returned to consumers from traders after the successful settlement of their disputes reflects an additional measurable benefit and counts as an extra valued dimension of consumer ADR that needs to be underlined and discussed (Table 4). And this is without taking into account the indirect monetary benefit thanks to the avoidance of costly litigation or cases where consumers have been satisfied by ADR but the mediation body does not have the technical ability or practical ease with which to make a clear evaluation of their profit in money (e.g. cases where a faulty good has been repaired or where a discontinued service has been restored).

Table 4 *Consumer ADR private returns on public investments*

2015			2016		
Budget (million euros)	Returns (thousand euros)	Returns as % of budget	Budget (million euros)	Returns (million euros)	Returns as % of budget
1.558	699.100	44.8	1.567	1.250	79.7
2017			2018		
Budget (million euros)	Returns (million euros)	Returns as % of budget	Budget (million euros)	Returns (million euros)	Returns as % of budget
1.648	1.236	75	1.566	1.400	89.3
2019			2020		
Budget (million euros)	Returns (million euros)	Returns as % of budget	Budget (million euros)	Returns (thousand euros)	Returns as % of budget
1.476	1.023	69.3	1.465	975.889	66.6

Certainly, direct private returns do not have a redistributive character or count as benefits of a social welfare kind. Clearly, however, they do matter seriously for household budgets, since they represent considerable money savings of consumers towards the purchase of a new product or service in replacement of a previous problematic one. And when contrasted with public expenditures invested in consumer ADR, direct private returns generate a positive impression and a widespread sense that taxpayer citizens get economic alleviation via an accessible and non-discriminatory public service, which is, after all, an irreplaceable advantage.

5 Final Thoughts Instead of an Epilogue

Disputes generally abound in consumer transactions, and, therefore, consumer ADR has a crucial role to perform in this dynamic field. As regards Greece, a robust consumer ADR culture is already established and steadily keeps developing thanks to state determination and stakeholders' confidence and support.

Evidence clearly shows that bringing the majority of consumer disputes to court is an unnecessary action in view of their potential to be alternatively settled in substantially less time and absolutely cost-free for the involved parties. As a matter of fact, consistency of research findings over the years fully confirms the effectiveness of consumer ADR, taking into consideration that GCO manages the resolution of the vast majority of disputes within short average times and at impressively high rates. GCO scores satisfactorily in the resolution of complex disputes too. Additionally, it has been explained that consumer ADR is a worthy investment with exceptionally high returns; not only indirect, as we already knew, but positive as well.

These are not benchmarks for universal implementation but rather documented arguments about potentially high achievements of consumer ADR, realizing that differently constructed or mandated ADR schemes might have a different impact on society.

Of course, being a resolution mechanism lacking enforcement powers, to which disputing parties voluntarily resort on free choice and retain decision-making control at all times, it must be understood that GCO – and every other consumer ADR scheme with a similar mandate – is inherently too weak to resolve all disputes, especially when these are unsuitable to be accommodated by non-binding consumer ADR procedures. Fortunately, this goes only for the minority of disputes. For the rest of them, consumer ADR is principally in a position to provide high-quality mediation services for effectively mending broken consumer-trader relationships and for setting up a course for positive future interactions.

Further studies might be interested in focusing on a correlation of findings as regards specific aspects of operation of formal consumer ADR entities in different Member States or among countries outside the European Union, in order to produce an explicit comparative view of the measured effectiveness of various consumer ADR schemes and the factors that may affect it. It could also be interesting, in this respect, to perform regular user evaluations of consumer ADR

procedures, in order to determine whether they manage to sustain their usefulness and to what extent, as well as to spot areas that could be modified or improved. User evaluation projects could reflect on the fairness and neutrality of consumer ADR, as well as on overall satisfaction from the quality of legal help and support received by ADR experts.

All said, the deeper institutionalization and empowerment of consumer ADR is, undoubtedly, a right political choice in order to ensure adequacy of supply of a modern and useful service to all those who wish to seize a series of incontestable benefits.