

On 25th of November 2021, the European Energy Mediators Group (EEMG) held a meeting, again by videoconference due to the sanitary crisis. This group of Company Mediators in the energy sector promotes company mediation as an efficient ADR for any kind of disputes and more specifically in the field of Consumption and favors best practices sharing between its members in order for them to continuously improve their performance.

The number of mediation requests the EEMG members have to process every year allows them to observe the energy consumers' concerns and expectations. It also allows them to contribute to the consideration carried out by the [European Commission](#) on a possible evolution of the [2013 ADR Directive](#).

The agenda of the meeting included : key figures on ombudsmen [mediation activity for 2020](#) , the trends observed in 2020 and the consideration for a possible revision of the 2013 ADR Directive, a project presented by the European commission during the [ADR forum hold on 28 and 29 September, 2021](#).

2020 Figures and trends :

- 12 500 requests for mediation in 2020, submitted to [EEMG's members as ombudsmen](#). Among them, 88% are requests coming from consumers,
- 3 475 were admissible and 3230 were processed in mediation (some claimants may have chosen to drop out),
- Success rate in dispute resolution was in average 73%, i.e. mediation process proved its efficiency.
- Billings and payment issues represented 26% of the disputes in 2020, an increase of 10 points compared to 2019.
- Disputes over consumption represented 19%, contracts and sales 13% and energy services including equipment maintenance 11%.

The Mediators observations :

- Increase of consumption and billing disputes is one of the collateral effects of the pandemic: More people were at home where they consumed more energy. Some are encountering payment difficulties and more are asking for support both to understand and to reduce their consumption bills, and to benefit from payment facilities.
- Disputes over services and new energy uses are developing installation and maintenance of boilers, heat pumps, but also photovoltaic panels,
- Consumers are increasingly in a hurry demanding to settle litigation fast,
- The energy equipments are increasingly complex, which requires greater support from suppliers and installers at the time of signing the contract and afterwards. This requirement is not always easy to reconcile with increased digitalization, especially for the most vulnerable people.
- The mediation teams were all sufficiently digitalized to work at home and remain efficient during the pandemic.

The EEMG members, in the context of the EC consideration regarding a possible evolution of the ADR Directive, believe that :

- The diversity of the ADR systems in the European Union has to be preserved. It has been a choice made by the EC in 2013 which has proved to be a good one. National ADR systems are the result of EU members' histories, cultures, resources with common principles and values such as independence, impartiality, neutrality. Wherever they are in Europe, consumers can rely upon each national ADR system. The diversity must be preserved too through different ways of solving a dispute like mediation, conciliation....
- National ADR systems which prove to be efficient and constitute good practices should be shared among the EU members instead of harmonizing without considering the contexts.
- Promote the use of digital tools to improve efficiency in processes without losing the values and the spirit of the Mediation in order to preserve human relationships for instance.

- Reinforce the trust of the consumers and the companies in the ADR by promoting mediation as an efficient dispute resolution mechanism.
- Company Ombudsmen, in the countries where the system exists, help their companies to progress in reducing or eliminating dispute sources thanks to the various recommendations they issue and working discussion they have with the consumer claims department, on a regular basis.
- Company Ombudsmen, due to their background, are particularly well placed to process with more and more complex disputes, as it occurs in the energy sector. They contribute to the efficiency of the ADRs in their country.

For all these reasons, EEMG members are convinced that mediation has to be promoted and extended in all businesses as one of the most efficient way to solve disputes between consumers and their suppliers. It leads to increase consumers trust in commercial relationship.