



World Vapers' Alliance (WVA) contribution to the European Commission's call for evidence on its Communication on Better Regulation

The World Vapers Alliance (WVA) represents tens of thousands of European consumers of alternative nicotine products across the EU. As a consumer organisation, we regularly participate in EU regulatory processes through calls for evidence and public consultations, and we actively encourage our members to submit their own contributions as well.

In our view, the EU's Better Regulation framework should, above all, guarantee that all affected stakeholders – especially citizens and consumers – have a fair and practical opportunity to provide input on upcoming initiatives. People who are directly impacted by regulation must be able to have their opinions heard and genuinely considered before decisions are taken, not only after policies are already designed.

For us, Better Regulation is therefore not just about technical quality or administrative efficiency; it is fundamentally about ensuring that those who live with the consequences of EU rules are meaningfully involved in shaping them.

We understand the EU needs regulatory procedures that allow it to react and act faster in the face of emergencies. But even in urgent situations, this should not mean that proposals are put forward without proper scrutiny from experts, stakeholders and, most importantly, consumers and citizens. Emergency or fast-track procedures should add flexibility to timelines, not remove the basic steps of listening to those who are affected and checking the available evidence.

If anything, removing or limiting public participation opportunities would create a serious democratic deficit. Without broad input from citizens, experts and stakeholders, policies risk being disconnected from reality, leading to flawed rules that fail to deliver real benefits.

In fact, there is already a widespread feeling that the European Commission does not take public consultations and calls for evidence seriously. They often treat these as mere bureaucratic steps to tick off, without genuinely considering the input received. Far too often, the Commission dismisses the majority of responses and even pushes forward with proposals—and adopts policies—that have been clearly opposed by most respondents.

Public consultations and calls for evidence should not be removed or weakened—they need to be improved, made clearer and more accessible to everyone, and genuinely considered by the European Commission. Streamlining these processes with better design and outreach would make them more effective without sacrificing their democratic value. This way, the EU can balance speed with real input from citizens and experts.

Similarly, evaluation reports and impact assessments must remain mandatory steps for the European Commission in all legislative processes. Too often, however, these are treated



merely as boxes to tick off rather than genuine, policy-shaping exercises. In many cases, they are drafted as ex-post justifications to rubber-stamp regulatory steps the Commission has already decided to pursue, when it should be the other way around: these documents must set the true pillars for new, effective, evidence-based regulations.

To improve the system, we propose concrete ideas that ensure efficiency and speed go hand-in-hand with meaningful stakeholder and citizen participation. These recommendations aim to streamline processes without cutting corners on transparency or input and helping the EU deliver better, more legitimate rules.

1. Emergency mechanism

To improve the system while safeguarding democratic processes, the European Commission should establish a strict mechanism for bypassing steps in the Better Regulation Guidelines.

This would ensure any push to speed up procedures is genuine—not a political maneuver to dodge scrutiny that might weaken a proposal. For instance, skipping a step could require a reinforced majority vote in the Council and approval from the European Parliament, making exemptions rare and accountable.

2. Exemption registry

Additionally, the Commission should register and publicly publish every exemption request, clearly explaining the reasons behind it and the final outcome. This transparency would allow citizens, stakeholders, and MEPs to track patterns, hold the Commission accountable, and prevent abuse of fast-track powers.

3. Objective consultation designs

Public consultations and calls for evidence must be structured in an objective and open manner, rather than in a biased way that steers most respondents toward supporting the Commission's proposals.

Too often, these processes are designed one-sidedly—using leading questions, selective framing, or uneven opportunities for input—that give more room to those who already agree with the Commission's political goals, while sidelining critics or alternative views. This undermines the entire purpose of gathering diverse feedback and risks producing policies that lack broad legitimacy.

To fix this, the European Commission should adopt rigorous, neutral standards for consultation design. For example, questions should be phrased neutrally to avoid presupposing outcomes, all responses should receive equal weight and visibility in summaries, and clear guidelines should ensure balanced representation of opposing viewpoints.



4. Mandatory consultation summaries

Public consultation summaries must become a required element of every public consultation. The Better Regulation Guidelines mention publishing a summary within eight weeks, but they should go further by mandating concise, clear reports on all consultation activities—like stakeholder meetings, informal reports, or contribution lists—posted promptly on dedicated websites. This simple step would greatly boost transparency, making the content of discussions with the Commission accessible to everyone and ensuring the public can see how input shapes decisions.

5. Independent impact assessments

To ensure evaluation reports and impact assessments are conducted independently and serve as the true foundation for Commission policies—rather than mere justifications for preconceived ideas—the EU should demand full transparency in their creation. All instructions, contracts, and exchanges between the European Commission and the reports' authors must be published promptly, allowing public and expert scrutiny to prevent bias or undue influence.

6. Evidence-Based Policy Alignment

The European Commission must demonstrate in every proposal how it aligns with key findings from impact assessments, as well as the main views and concerns raised in public consultations. Any decisions taken contrary to these must be justified with a solid scientific or evidence-based foundation, publicly documented and open to scrutiny. This requirement would hold the Commission accountable, ensuring policies are shaped by robust evidence and genuine stakeholder input rather than preconceived agendas.