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TRADE AND DEVELOPMENT BOARD
Commission on Trade in Goods and Services,
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Agenda item 5

**ANALYSIS OF MARKET ACCESS ISSUES FACING DEVELOPING
COUNTRIES: CONSUMER INTERESTS, COMPETITIVENESS,
COMPETITION AND DEVELOPMENT**

Draft recommendations

The Commission takes note of the outcome of the Expert Meeting on Consumer Interests, Competitiveness, Competition and Development, as contained in document TD/B/COM.1/43 - TD/B/COM.1/EM.17/4 and makes the following agreed recommendations:

A. Recommendations at the national level

1. Governments should:

- Consider taking the necessary steps to implement the UN Guidelines for Consumer Protection (1999) and in this regard incorporate the consumer protection dimension into their macroeconomic policies and legal frameworks;
- Develop and maintain competition and consumer protection laws and policies which are mutually reinforcing, with a view to promoting consumer welfare, competitive markets, competitiveness and development;
- Create specific channels and mechanisms for dialogue with consumers and their representative organizations. In this respect, they should consider adopting mechanisms to delegate to civil society certain reconciliation and consumer arbitration powers in conformity with national laws;
- Take due care, in applying consumer protection laws and other regulations, to ensure that measures benefit all sections of the population;

- Develop and/or encourage, as appropriate, the development of consumer information and education programmes, bearing in mind the need to reach even the most remote rural areas and the disadvantaged consumers. Such programmes should be included also in the curriculum of formal and non-formal education;
- Take appropriate measures to combat anti-competitive practices and the production and marketing of poor-quality and unsafe products, including the development of black markets for the sale of such products;
- Promote conformity by enterprises with the provisions of the UN Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, particularly section D, "Principles and rules for enterprises, including transnational corporations";
- Consider encouraging private sector organizations or individual corporations to adopt codes of conduct, subject to competition laws and policies, in order to promote ethics.

B. Recommendations to the international community

1. Consumer associations and their representatives at national and international levels should familiarize themselves fully with the UN Guidelines for Consumer Protection in order to be able to play their role of educating consumers, particularly those in the informal sector, thereby contributing to the implementation of those guidelines.
2. Consumer associations are encouraged to be proactive in their interaction with government and intergovernmental agencies and with businesses in order to advance and safeguard consumer views and interests.
3. Consumer associations should develop joint regional training and information programmes in cooperation with government, business, international organizations and academic and other civil society organizations in order to create synergies for promoting consumer welfare.

C. Recommendations to UNCTAD

1. UNCTAD should, taking into account the special needs of LDCs:
 - Monitor and report to the Commission on the implementation of the UN Guidelines on Consumer Protection, including in cooperation with other relevant international organizations, with a view to promoting consumer interests within the United Nations;
 - Provide technical assistance to member countries to help them adopt and enforce consumer laws and policies, as well as competition laws and policies;

- Create and maintain a complementary consumer protection website containing relevant information on laws, policies, activities and international agreements containing consumer-related provisions;
- Study and make proposals by the next session of the Commission on:
 - (a) Protection of consumers and regulation of public services;
 - (b) International cooperation mechanisms for consumer protection against fraud and deception in cross-border transactions and e-commerce, including goods which have been condemned in the exporting countries;
 - (c) How markets can better integrate the informal sector, and work better in favour of the poor and hence generate more growth, employment and export opportunities.