Review of the UN Guidelines for Consumer Protection, 11-12 July 2013, Geneva

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The views expressed are those of the author and do not necessarily reflect the views of UNCTAD
A Common Theme

• We need to adapt to the many and varied needs of the Member States

• However, there is a basic agreement on what is meant by the term consumer protection and the principles that need to apply

• Consensus in this context should not be difficult to achieve
Consensus

- Some view consensus as abandoning individual beliefs and ending up with something inferior, to which nobody objects.

- Prefer the view that it represents uniform ideas which have a common ground of truth.

- This truth is the very basis upon which the Guidelines have been constructed, and the basis upon which we all work.
The Current Guidelines

- The current Guidelines are good examples of consensus at work.

- At most they will need minor revision to bring into place some current emerging issues

- Issues of financial consumer protection and electronic commerce identified as key

- But there are other evolving issues
New Challenges

• Abusive advertisement

• Energy

• Cross border trade

• Data Protection
Abusive Advertisements

- Principles already exist but do not address the wide range of behaviour now confronting us

- Unethical marketing tactics are evolving that may not come under the standard, or legal definition of advertising, e.g. door to door sales

- Unfair service contracts that favour the seller and deny consumers the right to rescind contracts or terms in the contracts
Abusive Advertisements (cont)

- Tobacco advertising is something that could be debated further in regard to abusive advertising.

- There is no longer any doubt that tobacco is a major health problem worldwide – its promotion should be stopped.

- Discussion is also appropriate on how advertising is aimed at children, and other vulnerable groups; and the cumulative effect of that advertising.
Energy

• Demand for environmental sustainability has to be balanced with making this essential service available to all.

• Any suggestion that reducing the level of connectivity to energy sources will somehow assist in environmental sustainability is not only immoral, but misguided.

• Health and safety risks can arise that add a cost burden to the economy.
Cross Border Trade

- Cross border trade arises in the Guidelines due to existing references to imported as well as domestically produced goods and services.

- Apart from international standards, other issues need examining, such as:
  - the need to protect consumers’ cross-border transactions;
  - exchange of information on national policies; and
  - the level of cooperation in the implementation of consumer protection policies.
Data Protection

- The marketplace achieves efficiency when both sides in a transaction have optimal information.

- However, information on consumers is now a commodity.

- As a basic principle, consumers should have the right to:
  - access that information; and
  - correct it and block further transmission.
Summary

• Our work will not finish when the revision is published

• Business changes and so should we, and so should the Guidelines

• The fundamental principles of consumer protection have remained constant over time

• These should assist to guide us in our work, achieving an agreed positive outcome for consumers worldwide.
Thank You