



# United Nations Conference on Trade and Development

Distr.: General  
3 August 2021

Original: English

---

**Trade and Development Board**  
**Trade and Development Commission**  
**Intergovernmental Group of Experts on**  
**Consumer Protection Law and Policy**  
 Fifth session  
 Geneva, 5 and 6 July 2021

## **Report of the Intergovernmental Group of Experts on Consumer Protection Law and Policy on its fifth session**

Held at the Palais des Nations, Geneva, on 5 and 6 July 2021

### Contents

|  | <i>Page</i> |
|--|-------------|
| I. Agreed conclusions .....  | 2           |
| II. Chair's summary .....  | 5           |
| III. Organizational matters .....  | 11          |
| <br>Annexes  |             |
| I. Provisional agenda for the sixth session of the Intergovernmental Group<br>of Experts on Consumer Protection Law and Policy ..... | 13          |
| II. Attendance.....  | 14          |



## I. Agreed conclusions

*The Intergovernmental Group of Experts on Consumer Protection Law and Policy,*

*Recalling* the resolution adopted by the Eighth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (Geneva, October 2020),<sup>1</sup>

*Recalling* General Assembly resolution 74/270 of 2 April 2020 titled “Global solidarity to fight the coronavirus disease 2019 (COVID-19)”,

*Recalling* General Assembly resolution 70/1 of 25 September 2015 titled “Transforming our world: The 2030 Agenda for Sustainable Development”,

*Recalling* further General Assembly resolution 70/186 of 22 December 2015 titled “Consumer protection”, adopting the revised United Nations guidelines for consumer protection,

*Taking note* of the decision of the fourteenth session of the United Nations Conference on Trade and Development (Nairobi, 2016) in paragraphs 69 and 76 (x) that “fair, sound and robust national competition and consumer protection laws and policies are also important, as is international cooperation, information exchange and capacity-building in these areas, particularly in light of the expansion of global markets, the increasing role of transnational companies, the need for enhanced transparency and accountability, the information and communications technology revolution and the emergence of electronic commerce (e-commerce)” and that UNCTAD should “continue to assist developing countries and countries with economies in transition to formulate and implement competition and consumer protection policies and laws, including through voluntary peer reviews and the sharing of best practices; as well as facilitating international cooperation among competition and consumer protection agencies together with other relevant international organizations, taking into account the revised United Nations guidelines for consumer protection”,<sup>2</sup>

*Reaffirming* the fundamental role that consumer protection law and policy plays in the achievement of the 2030 Agenda for Sustainable Development, by ensuring access by consumers to essential goods and services, empowering consumers and protecting them from fraudulent and deceptive commercial practices and boosting consumer education to ensure more informed choices,

*Welcoming* the decisive measures and interventions taken by Governments in the field of consumer protection through coordinated international, regional and bilateral actions to respond to the COVID-19 crisis and attempt to mitigate the negative impact on domestic markets and consumer welfare,

*Underlining* that consumer protection law and policy is a key instrument in addressing unfair fraudulent and deceptive commercial practices in a globalized and interdependent world, including by enhancing the transparency and accountability of businesses, resource mobilization and the empowerment of consumers, as well as by delivering dispute resolution and redress and poverty reduction and by promoting inclusive economic and social policies,

*Recognizing* that an effective enabling environment for consumer protection and development may include both international and national cooperation and enforcement to deal with cross-border unfair fraudulent and deceptive commercial practices,

*Recognizing* the need to strengthen the work of UNCTAD in consumer protection law and policy so as to enhance its development role and benefits for consumers and businesses,

---

<sup>1</sup> TD/RBP/CONF.9/9.

<sup>2</sup> TD/519/Add.2.

*Recognizing* that effective policies that prevent the cross-border distribution of known unsafe consumer products and unfair or misleading commercial practices can improve consumer confidence and provide more favourable conditions for sustainable economic development,

*Recognizing* that attending the consumer protection needs of vulnerable and disadvantaged consumers in connection with public utilities is increasingly becoming a priority for member States, as recommended in the United Nations guidelines for consumer protection,

*Noting* the important written and oral contributions from consumer protection authorities and other participants that enriched the debate during its fifth session,

*Taking note with appreciation* the documentation prepared by the UNCTAD secretariat for its fifth session,

1. *Welcomes* the efforts of member States and other stakeholders in implementing the United Nations guidelines for consumer protection and reaffirms its commitment to providing an annual forum and modalities for multilateral consultations, discussions and exchanges of views between member States on matters related to the guidelines;
2. *Welcomes* the hosting of the fifteenth session of the United Nations Conference on Trade and Development from 3 to 7 October 2021; and encourages member States to contribute to the alignment of consumer protection policies with the 2030 Agenda for Sustainable Development;
3. *Encourages* the continuation of legislative, policy-related and regulatory actions and initiatives by consumer protection agencies in response to and in the aftermath of the COVID-19 pandemic, as well as coordination and information-sharing at the international, regional and cross-border levels.
4. *Congratulates* the Government of Chile for its voluntary peer review of consumer protection law and policy, looking forward to the successful implementation of the policy recommendations and encouraging interested member States to volunteer for future peer reviews of consumer protection law and policy as implemented by consumer protection authorities, including as peer reviewers;
5. *Underlines* the direct and positive impact that the adoption of consumer protection policies by member States has on the achievement of the Sustainable Development Goals, in particular in reducing inequalities within and among countries and in strengthening the means of implementation and revitalizing the Global Partnership for Sustainable Development;
6. *Encourages* member States to ensure access for consumers to essential goods and services, such as public utilities, with a particular focus on the needs of vulnerable and disadvantaged consumers, by engaging with all relevant public and private stakeholders;
7. *Recognizes* the important role of relevant stakeholders, as appropriate, particularly with regard to inclusive consumer protection policies; welcomes the participation of consumer authorities, consumer associations, civil society, business and industry representatives and academia in the deliberations of the sessions of the Intergovernmental Group of Experts on Consumer Protection Law and Policy; and encourages these participants to present written papers and submissions in advance of the sessions;
8. *Encourages* the continuation of the information-gathering process on the legal and institutional framework for consumer protection, including in particular the development of the UNCTAD world consumer protection map; and invites all member States to participate in its completion and update;
9. *Emphasizes* the importance of regional cooperation in the enforcement of consumer protection law and policy; invites consumer protection authorities to strengthen their national legislative frameworks for international, regional and bilateral cooperation, in the light of guidelines 79 to 94; and requests the UNCTAD secretariat to continue to explore, gather and promote best practices for international cooperation;

10. *Welcomes* the initiatives carried out by individual member States, UNCTAD and other organizations and networks in building capacity and strengthening institutions in the area of consumer protection; and calls upon all interested parties to work together and identify and strengthen synergies;

11. *Decides* to renew the mandate of the working group on consumer protection in e-commerce, to continue work on misleading and unfair practices, consumer education and business guidance and cross-border enforcement cooperation, in the light of guidelines 63 to 65, to facilitate the exchange of information and best practices among the consumer protection authorities of member States in these areas and to report to the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy in 2022;

12. *Decides* to renew the mandate of the working group on consumer product safety, to continue work on strengthening consumer product safety frameworks at the regional and national levels and improving international cooperation to protect consumers from hazards to their health and safety, to propose modalities for the implementation of the recommendation on preventing the cross-border distribution of known unsafe consumer products and to report on its continued work to the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy;

13. *Decides* to renew the mandate of the working group on modalities of UNCTAD voluntary peer reviews of competition and consumer protection laws and policies, open to member States on a voluntary basis, without any financial implications for the regular budget of the United Nations, to discuss and improve the existing procedures and methodology and to report to the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy;

14. *Requests* the UNCTAD secretariat, in accordance with guideline 97 (b), to prepare reports and studies as background documentation for the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy on the following topics:

(a) Modalities for the implementation of the recommendation on preventing the cross-border distribution of known unsafe consumer products;

(b) Financial consumer protection, including financial education and literacy;

15. *Requests* the UNCTAD secretariat to facilitate consultations and the exchange of views among member States on the topic of consumer protection in the provision of health services;

16. *Requests* the UNCTAD secretariat to prepare, for the consideration of the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy, an updated review of capacity-building in and technical assistance on consumer protection law and policy, including an impact assessment;

17. *Requests* the UNCTAD secretariat to continue to compile a list of contact persons of consumer protection authorities, to facilitate cooperation in accordance with guideline 87;

18. *Notes with appreciation* the voluntary financial and other contributions received from member States; invites member States to continue to assist UNCTAD on a voluntary basis in its capacity-building and technical cooperation activities by providing experts, training facilities and financial or other resources; and requests the UNCTAD secretariat to pursue capacity-building and technical cooperation activities, including training, and, where possible, to focus such activities on maximizing their impact in all interested countries.

*Closing plenary  
6 July 2021*

## **II. Chair's summary**

### **A. Opening plenary**

1. The fifth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy was held at the Palais des Nations, Geneva, on 5 and 6 July 2021, in both virtual and physical formats. Representatives from 73 countries and seven intergovernmental organizations, including the heads of consumer protection and competition authorities, as well as six non-governmental organizations, attended the high-level discussions.

2. In her opening remarks, the Acting Secretary-General of UNCTAD said that in the context of the COVID-19 pandemic, States were transiting from an emergency situation to a recovery response. The first threats faced by consumer protection and competition authorities had been the shortage of supplies of essential hygiene-related consumer products such as face masks and hand sanitizer, along with price gouging with regard to some basic household products. Many countries had taken enforcement or regulatory action to prevent price gouging, with some countries setting maximum reference prices for a basket of basic consumer products and price caps on personal hygiene and cleaning items at the prices effective before the pandemic. The recovery response encompassed the principles that consumers must enjoy a level of protection online that was no less than that afforded offline, that they had a right to non-hazardous products and that they should have access to fair, effective, transparent and impartial dispute resolution mechanisms, particularly online. In this context, the United Nations guidelines for consumer protection remained a relevant tool for Governments aiming to improve consumer protection in the medium and long terms. The Acting Secretary-General added that Governments had a once-in-a-century opportunity to set the foundations for fairer and more inclusive markets. This could be fuelled by two ongoing economic revolutions, namely, the green and the digital revolutions. Achieving the Sustainable Development Goals required redoubled efforts from all stakeholders: Governments, businesses and civil society. Above all, it required consumers to play a leading role. The pandemic had propelled consumers into a digital environment that was still not as safe and welcoming as it should be and the digital divide within and among countries was a reality that needed to be addressed. The Acting Secretary-General emphasized that, to put the interests of consumers at the top of the political agenda, it was important to be ambitious and realistic. Digital consumers needed more protection and online businesses needed to commit to improving consumer knowledge and upholding their rights, as well as ensuring product safety online and providing for dispute resolution for consumers. Finally, sustainable consumption needed to be an accessible option for consumers, allowing them the opportunity to contribute towards a greener economy and responsible production and consumption. In this regard, international cooperation needed to be improved in order that abusive practices by global traders could be effectively tackled through joint and coordinated enforcement efforts, to protect consumers worldwide.

### **B. Report on the implementation of the United Nations guidelines for consumer protection by member States and relevant stakeholders**

(Agenda item 3)

3. In accordance with paragraph 97 (a) of the United Nations guidelines for consumer protection, the Intergovernmental Group of Experts heard reports by member States and relevant stakeholders on the implementation of the guidelines. The panel was composed of the National Secretary for Consumer Protection, National Consumer Secretariat, Ministry of Justice, Brazil; a Secretary of State, Federal Ministry of Justice and Consumer Protection, Germany; the Secretary of State for Trade, Services and Consumer Protection, Ministry of Economy and Digital Transition, Portugal; a Deputy Minister of the Ministry of Economic Development, Italy; the National Director for Consumer Protection of the National Directorate for Consumer Protection, Argentina; and the Adviser to the Deputy Minister, Ministry of Commerce, Saudi Arabia.

4. The first panellist presented the achievements of Brazil in implementing an online dispute resolution mechanism for consumers, in operation since 2015. In 2020, Brazil had made participation in this mechanism mandatory for businesses with a national or regional reach in the public and essential services sectors; digital platforms in the food delivery and individual and collective transportation segments; and the 200 companies with the highest number of complaints registered in the national consumer defence system.

5. The second panellist highlighted that the pandemic continued to ravage the lives of consumers. He emphasized the importance of international cooperation on such issues as combating global warming, preserving the environment and biodiversity by promoting sustainable consumption and overcoming global inequality by supporting vulnerable consumers, all in pursuit of the 2030 Agenda for Sustainable Development.

6. The third panellist stated that multilateralism was a fundamental vector in addressing the collective challenges faced by Governments, consumers, businesses and civil society. There was a need to adapt policy and institutional tools for the digital transformation. A priority must be to protect vulnerable consumers from predatory practices, including by promoting the prevention of overindebtedness and providing support measures for when it occurred.

7. The fourth panellist presented the outcomes of the presidency of Italy of the Group of 20 in the field of consumer protection, in particular the Multi-Stakeholder Forum on Consumers' Awareness, Protection and Blockchain for Traceability in the Digital Economy and, in this regard, expressed his thanks to UNCTAD for assistance in organizing the event. A high level of focus on the protection of consumers in the digital economy had continued to be maintained in Italy and this was considered fundamental, including as a result of the increase in online transactions during the pandemic.

8. The fifth panellist highlighted recent developments in the protection of hypervulnerable consumers, that is, those consumers considered to be in situations of vulnerability due to age, gender or physical or mental condition or due to social, economic, ethnic and/or cultural circumstances that led to particular difficulties in fully exercising their rights as consumers. Consumer protection efforts in Argentina prioritized such consumers.

9. The sixth panellist detailed the priorities in Saudi Arabia in implementing the United Nations guidelines for consumer protection, which included consumer privacy and data protection; e-commerce; access to essential goods and services; the protection of vulnerable and disadvantaged consumers; consumer information and education; and the protection of consumer health, safety and welfare. He noted that a new law was being drafted, to allow for alternative and online dispute resolution for consumers.

### **C. Latest developments in legal and institutional frameworks: UNCTAD world consumer protection map**

(Agenda item 4)

10. The UNCTAD secretariat presented the UNCTAD world consumer protection map, which displayed information from 102 member States.<sup>3</sup> The website, open for submissions from all member States, served as a study of the legal and institutional framework for consumer protection, aimed at providing an updated and comprehensive picture of consumer protection worldwide, identifying trends and benchmarks, as well as challenges, and informing discussions on future work.

---

<sup>3</sup> See <https://unctadwcpm.org>.

**D. Report of the working groups on: (a) Consumer product safety: modalities for the prevention of cross-border distribution of unsafe consumer products; (b) Consumer protection in electronic commerce**  
(Agenda item 5)

**Report of the working group on modalities of UNCTAD voluntary peer reviews of competition and consumer protection law and policy**  
(Agenda item 6)

11. The UNCTAD secretariat presented the reports of the working groups. Several delegates expressed their congratulations to UNCTAD on the work carried out and requested the continuation of these working groups.

**E. Consumer protection needs of vulnerable and disadvantaged consumers in connection with public utilities**  
(Agenda item 7)

12. Under the agenda item, the Intergovernmental Group of Experts on Consumer Protection Law and Policy held one round-table discussion. In opening the discussion, the UNCTAD secretariat presented the background document on consumer protection needs of vulnerable and disadvantaged consumers in connection with public utilities (TD/B/C.I/CPLP/22). The panel was composed of the Director General of the Consumer Directorate General, Ministry of Economy and Digital Transition, Portugal; the Deputy Commissioner of the National Consumer Commission, South Africa; a researcher at Standards Malaysia; the Director General of Consumers International; and the Manager of Digital Development Practice, World Bank.

13. The first panellist highlighted that the notion of vulnerable consumers differed in each jurisdiction, based on a survey by the Iberoamerican Forum of Consumer Protection Agencies. She noted the growing level of concern with regard to disadvantaged consumers and emphasized the need for more action from a legal perspective.

14. The second panellist provided examples of social vulnerabilities in public utility sectors. Vulnerable and marginalized consumers often lacked access to and tools to address disadvantages with regard to public utilities, including water, electricity and telecommunications. Most consumer complaints with regard to access, billing and erratic supply were in connection with water and electricity.

15. The third panellist underlined the need for criteria and standards, to provide adequate and reliable information to consumers, and suggested that the law should aim to protect vulnerable consumers from different angles, such as through consumer law or essential services law.

16. The fourth panellist noted that the issue of vulnerable consumers not only had an impact on people in low-income countries but that it was relevant and salient in most countries. There was a lack of awareness of the real costs with regard to sustainable consumption and an important consideration was whether sustainable consumption was only for countries that could afford to implement it.

17. The fifth panellist stressed that the poor had the lowest levels of access to utilities and paid the highest prices due to a reliance on informal means and self-provision. In this regard, the World Bank recommended focusing on a pro-poor strategy in policymaking.

18. The panellists agreed that protecting vulnerable and disadvantaged consumers should become a priority for policymakers and that policy tools should be designed to effectively target vulnerable and disadvantaged groups and involve special measures to provide both financial and non-financial support. Legislative action was needed in this regard and the panellists stressed the policy principles of protecting vulnerable consumers in public utility sectors, including with regard to access, quality, affordability and effective dispute resolution mechanisms and enforcement. In addition, they emphasized the

importance of education, awareness-raising and the sharing of information and best practices, to better address the challenges faced by vulnerable and disadvantaged consumers.

19. During the ensuing discussion, several experts stressed the importance of sharing information and best practices, to better address legal and legislative hurdles with regard to vulnerable and disadvantaged consumers, and noted the importance of financial counselling and centres focused on helping such consumers. One delegate noted that UNCTAD was in a position to provide policy guidance and support to developing countries. Another delegate stressed the importance of regional cooperation in raising awareness of vulnerable consumers. One delegate referred to consumer vulnerabilities with regard to financial credit and health care. A few delegates emphasized the importance of dispute resolution mechanisms in dealing with consumer complaints. The panellists, with regard to the role of UNCTAD in better assisting member States in attending to the needs of vulnerable and disadvantaged consumers, stated that UNCTAD provided an important platform for policy debates and for sharing experiences and best practices. Some panellists requested UNCTAD to issue a recommendation on vulnerable and disadvantaged consumers in connection with public utilities.

## **F. Consumer law, policy and regulatory actions in response to and in the aftermath of the COVID-19 pandemic**

(Agenda item 8)

20. Under the agenda item, the Intergovernmental Group of Experts on Consumer Protection Law and Policy held one round-table discussion. In opening the discussion, the UNCTAD secretariat presented the background document on consumer law, policy and regulatory actions in response to and in the aftermath of the COVID-19 pandemic (TD/B/C.I/CPLP/23). The panel was composed of the Deputy Superintendent for Consumer Protection of the Superintendency of Industry and Commerce, Colombia; the Head of the Consumer Protection and Advertising Control Department, Ministry of Antimonopoly Regulation and Trade, Belarus; the Director of Competition and Consumer Protection of the Competition Authority, Kenya; and a Senior Legal Adviser of the Consumer Agency, Sweden.

21. During the panel discussion, the panellists emphasized in particular consumer challenges related to e-commerce and noted the increase in the number of complaints in this sector due to its growth during the pandemic. This highlighted that trust was an essential component of e-commerce and the need for regulation to ensure that online sellers responded to consumer complaints. One panellist stated that alternative mechanisms should be considered to address online consumer disputes, along with raising awareness of consumer rights. Another panellist raised the issue of the liability of digital platforms in e-commerce, which required robust cross-border mechanisms to promote best practices and standards and resolve cross-border disputes, prevalent in e-commerce, through online dispute resolution platforms, as also stressed by another panellist. One panellist stated that cross-sectoral cooperation was also key in protecting market actors. Another panellist noted that international and regional cooperation, including on consumer protection, should be strengthened, to ensure that supply chains would not be disrupted in times of crisis. The panellists stressed the usefulness of learning from good practices in different regions. One panellist emphasized the importance of cross-border enforcement cooperation and noted the challenges involved therein, such as the lack of legal frameworks for cooperation, knowledge about the legal frameworks and priorities in other jurisdictions, resources and linguistic capabilities. Most panellists noted that regional approaches to consumer protection were important instruments and that awareness should be raised in this regard, since mutual understanding would encourage international cooperation.

22. During the ensuing discussion, delegates shared national experiences and the measures to protect consumers implemented in response to the pandemic. Online dispute resolution mechanisms had been made use of in some countries, such as in Brazil, and other countries had set up consumer hotlines for reporting consumer protection cases in various sectors encountered during the pandemic, such as in the United Kingdom of Great Britain



and Northern Ireland. One delegate referred to the sectors affected by the pandemic in the United Kingdom, such as holiday rentals, wedding bookings, package flights and travel and nursery services for children, and the application in this regard of an underutilized law, namely, the common law doctrine of frustration, through which parties could be refunded and a deduction for process expenses could be made. Another delegate reported on recommendations adopted to define the principles of fair commercial practices with regard to consumers. One expert requested UNCTAD to issue guidelines on tourism based on guideline 78 of the United Nations guidelines for consumer protection, in line with the advisory note on consumer rights issued in June 2020.<sup>4</sup> Finally, one delegate noted that the guidelines would need further implementation in the aftermath of the pandemic, in particular in areas such as the digital economy, data protection and information security, electronic transactions, payment system security, food safety and tourism.

## **G. Voluntary peer review of consumer protection law and policy of Chile**

(Agenda item 9)

23. The voluntary peer review opened with a presentation by the UNCTAD secretariat of the main findings and recommendations in the background report on the legal, policy and institutional frameworks for consumer protection in Chile (TD/B/C.I/CPLP/24). The Constitution of Chile did not encompass the protection of consumer rights but the Consumer Protection Act of 1997 established rules for such protection. The consumer information and education programmes of the National Consumer Service, as well as its complaints handling, had been well received by businesses and consumers and its interpretation of regulations served as a reference for many other bodies with competence in this area. The recommendations in the report included the need to improve online dispute resolution, particularly in e-commerce; include consumer interests in public policy; provide better training for the judiciary; and coordinate with consumer associations. Recommendations emphasized in particular the need to include consumer protection at the constitutional level; consider consumer rights and interests in the design of public policies; and strengthen institutions with a stake in consumer protection, such as the judiciary and local administrations. Representatives of the Governments of Germany, the Republic of Korea and the United States of America acted as peer reviewers.

24. The Minister of Economy, Development and Tourism, Chile, underlined the importance of the peer review and the value of the role of the National Consumer Service as the competent body in managing consumer protection policy in Chile, underlining its innovative and flexible profile. The Minister stressed the fundamental importance of consumers as actors of economic development.

25. In response to a question from one peer reviewer on the surge in consumer claims in the wake of the pandemic, the National Director of the National Consumer Service, Chile, detailed the emerging priorities of the Service, which included strengthening complaints handling, including through the use of emerging technologies. With regard to a question on the protection of senior consumers, the Director stated that the Service had noted an increase in online consumer claims by senior consumers (over 60 years of age), focused on telecommunications and financial services. The Service was providing education to senior consumers to empower them for the digital economy.

26. In response to a question from another peer reviewer about the customer care system offered by the National Consumer Service, the Director advised that the platform was free of charge for both businesses and consumers and that the average duration of proceedings was 18 days. The service was monitored, to ensure compliance with consumer laws. With regard to collective redress, the Service exercised ample powers in collective cases before courts defending consumer interests. Procedures followed an opt-out system, meaning that all affected consumers could potentially benefit from a collective decision. Finally, in response to a question from the peer reviewer about the channels through which information was conveyed to consumers, the Director noted that the National Consumer

<sup>4</sup> See <https://unctad.org/news/airlines-must-respect-consumers-rights>.

Service used its website, social media and user experiences to ensure multiplier effects from information campaigns.

27. With regard to a question from another peer reviewer about the priorities for research and strategies for reaching out to consumers, the Director identified several ways of identifying priorities, including interviews, surveys and behavioural insights. The protection of vulnerable and disadvantaged consumers was a leading priority for the National Consumer Service. Finally, ample media coverage of the activities of the Service had led to the agency being one of the best considered among public institutions.

28. The peer reviewers provided examples from national experiences. Germany funded consumer associations through a federation of consumer advice centres and consumer associations, to compensate for informational deficits on the part of consumers while enhancing consumer competencies and promoting the advocacy of their interests. The Republic of Korea aimed to protect senior consumers, counselling for whom had increased to 12.7 per cent of total consumer counselling in 2020. The approach to prioritizing enforcement cases in the United States was facilitated by the fact that the consumer protection authority was not bound to mediate or resolve every complaint and could focus on high-impact cases.

29. Peer reviewers asked questions about voluntary compliance programmes and the impact of social unrest events on consumer protection policy. The Director advised that the National Consumer Service had powers to oversee whether such programmes were genuine so that they could lead to the reduction of sanctions and noted that the Service had multiplied communications channels with consumers and other relevant stakeholders to meet the new expectations of citizens. In response to a question about the legislative and regulatory initiatives that the European Commission deemed most important in improving the ability of countries in Latin America to cooperate internationally, the European Union consumer protection cooperation regulation was noted as a reference. A few delegates expressed their congratulations to Chile for the peer review and asked about actions taken in the telecommunications field and in other sectors in which the pandemic had had a more profound effect. The Director detailed various initiatives in these fields, including with regard to complaints handling and information and education campaigns.

30. The UNCTAD secretariat presented a proposal for a technical assistance project to implement the peer review recommendations, with an overall goal of improving the legislative and institutional frameworks for consumer protection of Chile. The project would aim, in particular, at enhancing policy coordination among stakeholders and building the capacities of staff.

## **H. Review of capacity-building in and technical assistance on consumer protection law and policy**

(Agenda item 10)

31. Under the agenda item, the Intergovernmental Group of Experts on Consumer Protection Law and Policy held one round-table discussion. In opening the discussion, the UNCTAD secretariat presented the background document on the review of capacity-building in and technical assistance on competition and consumer protection laws and policies (TD/B/C.I/CPLP/25–TD/B/C.I/CLP/60). The panel was composed of the National Secretary for Consumer Protection, National Consumer Secretariat, Ministry of Justice, Brazil; the Head of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-Being, Russian Federation; and an Economic Affairs Officer, Economic Commission for Africa. The panellists expressed their views of the challenges faced by consumer protection authorities in developing countries during the pandemic and technical assistance that could be provided by UNCTAD.

32. The National Secretary for Consumers, Brazil, stressed that the pandemic was a great challenge for the consumer protection authority and had changed consumer behaviour. She detailed experiences in monitoring supply chains of health-related products and price increases in the market at a time of unusually high demand for certain products. The authority had signed a cooperation agreement with the national data protection

authority, to engage in joint actions on issues involving personal data and consumer protection. Finally, the panellist noted that UNCTAD served as an important forum for sharing experiences, educating consumers and training consumer protection authorities.

33. The Head of the Federal Service for Surveillance on Consumer Rights Protection and Human Well-Being, Russian Federation, stressed the usefulness of the United Nations guidelines for consumer protection and stated that the Russian Federation had been considering and proposing amendments to the consumer protection rules, including the introduction of an online dispute resolution mechanism.

34. The Economic Affairs Officer, Economic Commission for Africa, noted the impact of the pandemic on countries in Africa, highlighting that the situation had exposed vulnerable consumers to more risks but that, at the same time, the pandemic could be both a challenge and provide opportunities. The panellist provided an example from Rwanda of the delivery of medicine by using drones, which was efficient and lowered logistical costs.

35. During the ensuing discussion, one expert underlined the importance of online dispute resolution mechanisms. Finally, one delegate called attention to the need for support from UNCTAD in creating regulatory standards or a legal framework to guarantee respect for consumer rights in cross-border e-commerce transactions.

### **III. Organizational matters**

#### **A. Election of officers**

(Agenda item 1)

36. At its opening plenary meeting on 5 July 2021, the Intergovernmental Group of Experts on Consumer Protection Law and Policy elected Mr. Khalil ur Rahman Hashmi (Pakistan) as its Chair and Ms. Thi Tuyet Mai Le (Viet Nam) as its Vice-Chair-cum-Rapporteur.

#### **B. Adoption of the agenda and organization of work**

(Agenda item 2)

37. Also at its opening plenary meeting, the Intergovernmental Group of Experts adopted the provisional agenda for the session (TD/B/C.I/CPLP/21), as follows:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Report on the implementation of the United Nations guidelines for consumer protection by member States and relevant stakeholders.
4. Latest developments in legal and institutional frameworks: UNCTAD world consumer protection map.
5. Report of the working groups on:
  - (a) Consumer product safety: modalities for the prevention of cross-border distribution of unsafe consumer products;
  - (b) Consumer protection in electronic commerce.
6. Report of the working group on modalities of UNCTAD voluntary peer reviews of competition and consumer protection law and policy.
7. Consumer protection needs of vulnerable and disadvantaged consumers in connection with public utilities.
8. Consumer law, policy and regulatory actions in response to and in the aftermath of the COVID-19 pandemic.
9. Voluntary peer review of consumer protection law and policy of Chile.

10. Review of capacity-building in and technical assistance on consumer protection law and policy.
11. Provisional agenda for the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.
12. Adoption of the report of the fifth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.

**C. Provisional agenda for the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy**

(Agenda item 11)

38. At its closing plenary meeting on 6 July 2021, the Intergovernmental Group of Experts approved the provisional agenda for the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy (annex I).

**D. Adoption of the report of the fifth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy**

(Agenda item 12)

39. Also at its closing plenary meeting, the Intergovernmental Group of Experts authorized the Vice-Chair-cum-Rapporteur to finalize the report after the conclusion of the session.

## Annex I

### **Provisional agenda for the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy**

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Report on the implementation of the United Nations guidelines for consumer protection by member States and relevant stakeholders.
4. Latest developments in legal and institutional frameworks: UNCTAD world consumer protection map.
5. Reports of the working groups on:
  - (a) Consumer product safety;
  - (b) Consumer protection in electronic commerce;
  - (c) Modalities of UNCTAD voluntary peer reviews of competition and consumer protection laws and policies.
6. Modalities for the implementation of the recommendation on preventing the cross-border distribution of known unsafe consumer products.
7. Financial consumer protection, including financial education and literacy.
8. Consumer protection in the provision of health services.
9. Voluntary peer review of consumer protection law and policy.\*
10. Review of capacity-building in and technical assistance on consumer protection law and policy.
11. Provisional agenda for the seventh session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.
12. Adoption of the report of the sixth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.

---

\* Member State to be determined.

## Annex II

### Attendance<sup>1</sup>

1. Representatives of the following States members of the Conference attended the session:

|                                       |   |
|---------------------------------------|---|
| Afghanistan                           | Netherlands   |
| Albania                               | Nicaragua   |
| Algeria                               | Niger   |
| Argentina                             | Nigeria   |
| Armenia                               | Oman  |
| Australia                             | Pakistan  |
| Azerbaijan                            | Panama  |
| Bahrain                               | Peru  |
| Belarus                               | Philippines   |
| Brazil                                | Portugal  |
| Bulgaria                              | Republic of Korea                                       |
| Burkina Faso                          | Republic of Moldova                                     |
| Chile                                 | Russian Federation                                      |
| China                                 | Rwanda  |
| Colombia                              | Saudi Arabia  |
| Czechia                               | Serbia  |
| Democratic People's Republic of Korea | South Africa  |
| Democratic Republic of the Congo      | South Sudan   |
| Dominican Republic                    | Spain   |
| Egypt                                 | State of Palestine                                      |
| Gabon                                 | Suriname  |
| Gambia                                | Sweden  |
| Germany                               | Switzerland   |
| Guatemala                             | Thailand  |
| Honduras                              | Timor-Leste   |
| Hungary                               | Trinidad and Tobago                                     |
| Indonesia                             | Turkey  |
| Islamic Republic of Iran              | Ukraine   |
| Italy                                 | United Kingdom of Great Britain<br>and Northern Ireland |
| Japan                                 | United States of America                                |
| Kenya                                 | Uruguay   |
| Kyrgyzstan                            | Uzbekistan  |
| Lebanon                               | Venezuela (Bolivarian Republic of)                      |
| Madagascar                            | Viet Nam  |
| Malawi                                | Zambia  |
| Mauritius                             | Zimbabwe  |
| Morocco                               |   |

2. The following intergovernmental organizations were represented at the session:

Caribbean Community  
Common Fund for Commodities  
Common Market for Eastern and Southern Africa  
Eurasian Economic Commission  
European Union  
Organization of Islamic Cooperation  
West African Economic and Monetary Union

<sup>1</sup> This attendance list contains registered participants. For the list of participants, see TD/B/C.I/CPLP/INF.5.

3. The following specialized agencies and related organizations were represented at the session:

World Bank  
World Intellectual Property Organization

4. The following non-governmental organizations were represented at the session:

*General category*

Consumer Unity and Trust Society International  
Consumers International  
Global Traders Conference  
International Law Association  
International Network for the Standardization of Higher Education Degrees  
International Organization for Standardization

---