

Informal Consultations on the Revision of the United Nations Guidelines for Consumer Protection

Salle XXII, Palais des Nations, Geneva

SUMMARY OF SUBSTANTIVE ISSUES

4 June 2015

1. The Informal Consultations on the Revision of the United Nations Guidelines for Consumer Protection (UNGCP) was attended by 27 delegates from Member States permanent missions in Geneva. Delegates exchanged views on the operative clauses and perambulatory clauses, and raised various suggestions for improvement of the text contained in the Annex.
2. Mr Guillermo Valles, Director of the Division on International Trade in Goods and Services, and Commodities chaired the informal meeting. He presented the current state of consultations on the Revision of the UNGCP and presented the possible way forward. The Draft Resolution for the Revision of the UNGCP will be submitted to and discussed in the Seventh United Nations Conferences to Review All Aspects of the United Nations Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (UN Review Conference). If the Conference decides to adopt the text, it will be submitted to the General Assembly for consideration, which may take place as soon as December 2015. The current draft contains a provision to establish an Intergovernmental Group of Experts on Consumer Protection Law and Policy, similar to the existing one on Competition (ex. General Assembly Resolution 35/63 of 1980), which entails some financial implications. In this sense, if the General Assembly decides to establish such a Group it would refer its decision to the Trade and Development Board, which would discuss and take note of it. The proposal would be transmitted to the Fifth Committee, to be included in the 2017-2018 biannual budget of UNCTAD. The possible implementation of the said Group could then be expected for 2018. As a provisional measure, annual Expert Group Meetings on Consumer Protection could be convened (with existing resources) pending the eventual implementation of the Intergovernmental Group of Experts on Consumer Protection Law and Policy (IGE).
3. Mr Valles asked delegates to express their views on the operative clauses, particularly on operative clauses 7 and 8 (creation of an IGE and its resources, respectively). The vast majority of delegates showed interest in asking the General Assembly to decide the establishment of the IGE, in order to implement it as soon as possible, and showed interest in discussing the financial implications of its creation in clause 8. Discussions led to overall consensus on the appropriateness of asking the General Assembly to establish the IGE, and for its work to be reviewed and the renewal of its mandate considered by the Ninth UN Review Conference. Regarding clause 8, all delegates showed interest in keeping the provision. Some delegates asked to include the possible sources of funding for the IGE: reallocation of funds and/or extra budgetary contributions. Some additions to clauses 7 and 8 were proposed which captured the said views and interests, and will be circulated for further consultations among experts and delegates.
4. Mr Valles asked delegates to express their views on the preamble and the Annex, and various suggestions were raised to improve the text. Some delegates warned against opening the Annex

for further comments, as the text has been accepted by consumer protection experts who have actively participated in consultations for the past three years. The proposed additions will also be consulted with experts and delegates.

5. A new version of the Draft Resolution will be circulated on 4 June evening for informal consultations. Experts and delegates are invited to send their comments to the proposed changes of the Draft Resolution before **Friday 15 June 2015** to the secretariat (Arнау.Izaguerra@unctad.org and Graham.Mott@unctad.org). The definitive text that will be presented to the Seventh UN Review Conference on 9 July 2015 will be circulated shortly after.