

<p style="text-align: center;"><b>Minutes of 26<sup>th</sup> Meeting</b> <b>Working Group on Consumer Product Safety, September 16, 2024</b></p>
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The UNCTAD informal Working Group on Consumer Product Safety (WGPCS) held its twenty sixth teleconference on 16 September 2024 (at 8.30 a.m. and 3.40 p.m. Geneva time). The objective of the meeting was to discuss and adopt the work plan for the period 2024-2025 until the Ninth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (July 2025).

## **Background**

The secretariat submitted the [report of the Working Group on Consumer Product Safety to the eighth session of the Intergovernmental group of experts on consumer protection law and policy.](#)

As contained in its Agreed Conclusions, the eighth session of the Intergovernmental group of experts on consumer protection law and policy (IGE) (TD/B/C.I/CPLP/42, forthcoming), held on 1 and 2 July 2024, adopted the following regarding product safety and the mandate of this informal working group:

*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, protecting consumers from fraudulent and deceptive commercial practices and from harms associated with unsafe products and empowering consumers by boosting consumer education to ensure more informed choices,

*Recognizing* the important contribution of UNCTAD, serving as the focal point on consumer protection within the United Nations system, in improving consumer protection at the global level and advancing policy discussions, in particular on consumer product safety, sustainable consumption, electronic commerce (e-commerce) and online dispute resolution,

*Taking note* of the deliberations of the informal working groups on consumer product safety, on consumer protection in e-commerce and on consumer protection and gender, and of the reports presented at its eighth session

[...]

8. *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;

[...]

11. *Decides to continue the mandate of the informal working group on consumer product safety until the Ninth United Nations Conference to Review All Aspects of the Set, 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 pursue consultations leading to a resolution on general consumer product safety, to pursue the development of a model law for the implementation of the recommendation on preventing the cross-border distribution of known unsafe consumer products and to report to the Ninth United Nations Conference to Review All Aspects of the Set;*

[...]

## **Adopted workplan 2024-2025**

Based on the work carried out in the past by the Working Group on Consumer Product Safety (WGCPs),<sup>1</sup> and the recent mandate received by the IGE, the UNCTAD secretariat circulated a work plan for the WGCPs for 2024 and 2025 on 26 July 2024. The UNCTAD secretariat presented the workplan followed by comments from participants, which was adopted as follows:

1. **Resolution on general consumer product safety**: considering the result of consultations to the draft resolution as of 11 June 2024, the WGCPs will: (i) further discuss and consult on the text in “ad hoc” meetings; (ii) discuss the international institutional machinery for the resolution in a dedicated workshop in the framework of the International Consumer Product Safety Week (see activity 3 below); and (iii) provide input for the upcoming UNCTAD “Ad Hoc” Expert Meeting on Consumer Product Safety (Geneva, November 2024.)

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<sup>1</sup> See [Report of the WGCPs to the eighth session of the Intergovernmental Group of Experts on Consumer Protection](#), June 2024.

Required action from WGCPs participants: comments and suggestions to the draft, participation in “ad hoc” consultations.

South Africa and the European Commission are working on comments from the secretariat and will circulate the revised draft in the coming weeks. An “ad hoc” meeting of the working group will be called to discuss the draft further.

2. **Model law for the implementation of the recommendation on preventing the cross-border distribution of known unsafe consumer products**:<sup>2</sup> the drafting committee will pursue the development of a draft model law for consideration of the working group.

The WGCPs will: (i) pursue discussions at the drafting committee; (ii) further discuss the text in “ad hoc” meetings; and, if timely, (iii) provide input for the upcoming UNCTAD “Ad Hoc” Expert Meeting on Consumer Product Safety (Geneva, November 2024,) if the draft is ready to be discussed then.

Required action from WGCPs participants: volunteers to participate in drafting committee discussions.

The United Kingdom and the United States thanked the excellent work of the American University. The draft is well advanced and is being discussed at the drafting committee. Prof Keith retained two students at the American University to continue supporting the drafting committee. The intention is to annotate the draft to facilitate understanding of the text. The Republic of Korea thanked the work conducted so far and suggested reviewing the draft in the light of the European Union’s Digital Services Act.

3. **Joint EC-UNCTAD workshop on consumer product safety**: following the successful previous events, the EC and UNCTAD will hold an in-person and online workshop on 15 October 2024 in Brussels (In the framework of the International Product Safety Week). The workshop will be devoted to discussing the proposed draft resolution on general product safety. More specifically, the workshop will explore the avenues for international cooperation on product safety to be considered in the said proposed draft resolution. Plenary presentations will be followed by breakout discussions on the different possibilities to enhance and broaden the usage of existing international cooperation and information sharing tools.

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<sup>2</sup> See [Recommendation on preventing the cross-border distribution of known unsafe consumer products](#), 10 October 2023.

Registration is mandatory via [this link](#).

The European Commission generously offered the possibility to cover travel and accommodation expenses for a certain number of UNCTAD member States' representatives (one representative per country).

Relevant requests were considered on a first-come-first-served basis, with priority given to the least developed countries (and the remaining ones based on availability).

Required action from WGCPs participants: for information and volunteers as speakers.

The European Commission encouraged participants to register online (for both in-person and online participants) as soon as possible in order to better organize breakout sessions.

4. **Workshop on consumer product safety and sustainability**: In today's global market, ensuring consumer safety while promoting sustainability is a critical challenge that requires innovative solutions and collaborative efforts. The WGCPs will explore the intersection of product safety and sustainable consumption policies and initiatives. Key topics could include the lifecycle impact of consumer products, the safety of second-hand goods, and the role of international standards in fostering safer and more sustainable products.

Required action from WGCPs participants: decide on workshop theme and volunteers as organizers and speakers.

The European Commission supported the choice of the issue, as the International Product Safety Week will discuss product safety and circularity, and the European Commission is collecting data and drafting a report. Australia, South Africa and the United Kingdom requested that the discussion be centered around product safety issues and expressed interest in discussing lithium batteries. The United Kingdom tentatively volunteered to participate in the organisation of this part of the workshop. The Republic of Korea reported that it concluded product safety pledges with secondhand platforms and volunteered to present its experience. Kenya reported that its product safety regime considers safety standards and product information, and East African Competition Commission also have provisions on product safety. Kenya is interested in exploring cooperation in investigations.

International expert Josep Tous suggested the issue of sanctioning and proportional corrective measures for future workshops.

5. **Other activities:** participants of the WGCPS are invited to propose other activities to be included in the workplan.

Required action from WGCPS participants: proposals of other activities.
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The European Commission, South Africa, Josep Tous, and the UNCTAD secretariat acknowledged the leadership and engagement that Mr. Rich O'Brien provided to this working group, as this may be the last meeting he will be attending as United States delegate.

### Regularity of meetings

The Working Group will meet every 2 months after the eighth session of the IGE (1-2 July 2024), as follows:

16 September 2024

\* UNCTAD "Ad Hoc" Expert Meeting on Consumer Product Safety (November 2024)

20 November 2024

12 February 2025

16 April 2025 –workshop on consumer product safety and sustainability

28 May 2025

More meetings may be called, if needed, upon request from participating member States.

These dates do not include meetings of the drafting committees for activities 1 and 2.

### Outcomes

The secretariat will report orally the discussions of the WGCPS to the Ninth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.

<b>Working Group on Consumer Product Safety</b>		
<b>26<sup>th</sup> Meeting – List of Participants</b>		
<b>Name</b>	<b>Organization</b>	<b>Country</b>
Davin Phillips	Australian Competition and Consumer Commission	Australia
Patricia Heffernan	Health Canada	Canada
Daniela Parra, Carlos Salazar	National Consumer Secretariat (SERNAC)	Chile
Sergei Sinyakov	Eurasian Economic Commission	
Eva Sinkovic, Marie Gerardy	European Commission	
Nderitu Mwangi	Competition Tribunal	Kenya
Jisook Yang	Korean Consumer Agency	Republic of Korea
Rafael Regla	Federal Attorney for Consumers – PROFECO	Mexico
Cherry Ma	Ministry of Business, Innovation and Employment	New Zealand
Rosa Moran	National Institute for the Defence of Free Competition and the Protection of Intellectual Property - INDECOPI	Peru
Ewa Sikorska	Office of Competition and Consumer Protection - UOKiK	Poland
Thezi Mabuza	National Consumer Commission	South Africa
Andreas Tschöpe	Federal Consumer Affairs Bureau (BFK)	Switzerland
Kutlu Köycü	Ministry	Türkiye

Richard Frewin	Office for Product Safety and Standards	United Kingdom
Rich O'Brien, Tilven Salazar	Consumer Product Safety Commission	United States
Erico de Melo	Consumers International	
Chloe Kontos, Mark Prince	Amazon	
Josep Tous		
Tica Bosch		