



United Nations Conference on Trade and Development

Distr.: General
13 April 2012

Original: English

Trade and Development Board
Trade and Development Commission
Ad Hoc Expert Meeting on Consumer Protection
Geneva, 12–13 July 2012
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda and annotations

I. Provisional agenda

1. Election of officers
2. Adoption of the agenda and organization of work
3. The interface between competition and consumer policies
4. Consultations on the need to revise the United Nations guidelines for consumer protection
5. Adoption of the outcome of the meeting

II. Annotations to the provisional agenda

Item 1

Election of officers

1. The expert meeting is expected to elect a Chair and a Vice-Chair-cum-Rapporteur.

Item 2

Adoption of the agenda and organization of work

2. The provisional agenda for the expert meeting is reproduced in section I. The provisional schedule of meetings for the three days is given below.

Item 3

The interface between competition and consumer policies

3. The Sixth 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, 8–12 November 2010) invited UNCTAD to convene two expert meetings on consumer policy between the Review Conferences, separate from the Intergovernmental Group of Experts on Competition Law and Policy.

4. Hence, taking into account the existing United Nations guidelines for consumer protection (A/C.2/54/L.24) and the submissions by experts, the expert meeting will examine new consumer concerns, especially in developing countries and countries with economies in transition, such as the effects of the crisis in the financial sector on consumers, product safety, e-commerce, consumer access to damage redress, consumer representation, and consumer access to financial services. The expert meeting will consider revisions to the United Nations guidelines for consumer protection, and will formulate appropriate recommendations for action in capacity-building as well as international cooperation in this field, with a view to responding appropriately to the important requests made by Sixth United Nations Conference to Review All Aspects of the Set. The expert meeting will have before it a report entitled “Consumer protection and competition policy” (TD/B/C.I/EM/2).

Item 4

Consultations on the need to revise the United Nations guidelines for consumer protection

5. In the secretariat’s report entitled “Consumer protection and competition policy” (TD/B/C.I/EM/2), it is argued that in many markets, competition supports consumer interests, provided that general contract law and anti-deception laws are in place and enforced. Competitive sellers vie to attract consumers, and informed, educated consumers are able to understand the offers and make sensible choices, which reward the more efficient and innovative suppliers. But where consumers do not have reasonable access to the right information, or have decision-making biases, then suppliers can behave strategically to increase their profits at the expense of consumers. Consumer policies may be the best policy solution to help markets work better in these circumstances.

6. This example makes it apparent that improving the coherence between consumer and competition policies should be a central consideration to help markets work better, from the perspective of both the consumer and social welfare. Improved cooperation between consumer and competition authorities could include referring complaints, sharing the results of investigations, taking into account the impact of the remedies on other policy

objectives, and — where appropriate — working together on investigations and to generate policy responses. Such investigations should not only take on retail practices that have a face-to-face impact on retail consumers, but should also deal with upstream issues relating to industry structure and the need for international action to prevent global anticompetitive practices.

7. Consumers are being presented with new products and new marketing strategies, and are increasingly engaging in cross-border commerce in consumer products. In addition, technological change has created new challenges for consumers, for example in finding an appropriate balance between intellectual property protection and access to knowledge. It is suggested that consideration be given to revising the United Nations guidelines for consumer protection, in the light of these and other developments.

Item 5

Adoption of the outcome of the meeting

8. The expert meeting will adopt its outcome, which will be assessed by member States before being submitted to the Trade and Development Commission at its fourth session in November 2012. A consolidated report containing the outcome of the first and second ad hoc expert meetings will be submitted to the Seventh United Nations Conference to Review All Aspects of the Set taking place in 2015.

Annex

Inputs from experts

1. Experts wishing to make oral contributions during the debate are invited to submit brief papers in advance of the meeting to the UNCTAD secretariat. These will be made available to other participants at the meeting in the form and language in which they are received and will be posted the UNCTAD website. Priority will be given to participants who submit written notes.
2. In order to facilitate a structured exchange of national experiences, experts are invited, when preparing their inputs, to take into account the topics listed in the draft agenda. They may choose to give special attention to one or more topics that are of the greatest relevance to their national experience and from which lessons could be drawn for the benefit of the other participants and for possible revision of the United Nations guidelines for consumer protection. Concrete illustrative examples are encouraged.

Programme

<i>Thursday, 12 July 2012</i>	<i>Friday, 13 July 2012</i>
<p>The meeting will first discuss chapter VIII of the Model Law (Some possible aspects of consumer protection). It will adopt the agreed conclusions of the Intergovernmental Group of Experts, and then proceed to the opening of the ad hoc expert meeting.</p> <p>Chapter VIII of the Model Law</p> <p>Agreed conclusions</p> <p>Opening of the Ad Hoc Expert Meeting on Consumer Protection</p> <p>Roundtable: The interface between competition and consumer protection issues</p>	<p>Consultations on the need to revise the United Nations guidelines for consumer protection</p>
<i>Lunch</i>	<i>Lunch</i>
<p>Roundtable: New and emerging issues in consumer protection:</p> <p>Financial services Product safety E-commerce Working together</p>	<p>Adoption of the agreed conclusions and report of the Ad Hoc Expert Meeting</p> <p>Provisional agenda for the second Ad Hoc Expert Meeting</p>