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WORKSHOP ON CONSUMER PROTECTION AND PRODUCT
STANDARDIZATION IN DEVELOPING COUNTRIES

San Juan, Puerto Rico
1-5 June 1992

XP/RLA/92/020

Terminal report*

Prepared by the United Nations Industrial Development Organization

Based on the work of S. M. Spivak,
expert in consumer economics and product standards

Backstopping Officer: L. E. Rojas
Section for Cooperation with Non-governmental
Organizations and Industrial Enterprises

* This document has not been edited.

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CONTENTS

	Page
Abstract	3
Introduction and Summary	3
I. Industrial Development - Consumer Protection Dialogue	5
II. Consumer Protection	6
III. Interaction among Workshop Attendees	7
IV. Workshop Format and Materials	7
V. Special Media - TV Seminar	8
VI. Suggestion for related Work, Short Term	10
A. OECD Report	
B. ISO COPOLCO/DEVCO Workshop in 1993	10
VII. Recommendations and Longer Term Work	11
A. Future Regional Seminars	
B. Media and Communications Seminar	
C. Advanced Industrial Seminar on Consumer Quality and Standards	
ANNEXES:	
ANNEX I. UNIDO Aide Memoire	13
ANNEX II. UN Guidelines on Consumer Protection	19
ANNEX III. Draft programme of IOCU Regional Comparative Testing Alliance	27
ANNEX IV. List of participants	28

Abstract

This report summarizes a June 1992 UNIDO sponsored regional workshop, whose theme stressed industrial development conjoint with consumer protection. The workshop combined lectures and discussions, with extensive participants' contributions and experiences. Unique features were the added benefit of an interactive dialogue between consumer protection officials with industrial development and customs officials, business-industry representatives, and consumer goods industrialists from the host country (Puerto Rico).

Workshop topics included (a) principles of standards and standardization, with (b) aspects of consumer protection, product quality, health and safety, linked to (c) a mutual appreciation of industrial development, trade promotion and quality standards as used in consumer goods industries, plus (d) a special half-day session on using media and television to promote consumer protection.

The workshop brought together consumer protection officials and consumer representatives from ten Latin American and Caribbean countries, representatives from the International Organization of Consumer Unions (IOCU), and numerous government, industrial, university and consumer participants from Puerto Rico. This workshop proved successful, meeting its goals and objectives by:

- building a network of new contacts among regional participants,
- fostering an appreciation of each other's diverse interests between consumer protection and industrial development,
- integrating aspects of industrial standardization, product standards and quality standards with consumer protection,
- promoting the UN Guidelines on Consumer Protection, and
- emphasizing the need for greater national, regional and international participation by consumer and governmental experts from developing countries in Latin America and the Caribbean.

INTRODUCTION AND SUMMARY

Consumer protection and standardization programmes are strong in industrialized countries where standardization and product quality are highly controlled. However, in many developing nations, consumer protection often leaves much to be desired. The consumers are therefore left with little or no information on the available products they must buy, especially, food, clothing and shelter. Consumer groups and associations are therefore created to supply unbiased objective information and advice that helps the consumer to make a sound and informed choice.

Moreover, national and international standardization is essential. This is not only to meet requirements to face international competition, but also to ensure that the products available to the consumer meet agreed levels of quality, safety and performance.

A five day UNIDO workshop on consumer protection and product standardization was held in San Juan, Puerto Rico, from 1-5 June 1992. This workshop provided a unique and first-time opportunity to bring together thirteen senior officials from consumer organizations and consumer government agencies, with senior industrialists and their business-association representatives from the consumer goods industries.

The workshop concept and plan, the critical interaction and information sharing among participants, the dialogue and better understandings generated between consumer and industrial-business representatives, and the selection of venue/meeting site, facilities, etc. were very successful as evidenced by the evaluation questionnaires filled out by the participants at the end of the event. This report summarizes the planning, activities and accomplishments of the workshop described briefly above and elaborated in greater detail within the report.

A. Planning and Timing of the Workshop

This pioneering workshop resulted from discussions between UNIDO and IOCU. UNIDO enlisted the co-operation of the IOCU Regional Office in Santiago, the University of Maryland, College Park (where the workshop leader holds a Professorship), contacted the University of Puerto Rico, Rio Piedras, which provided the local meeting venue in San Juan; local arrangements, co-ordination and hospitality were provided through the valuable assistance of the Department of Consumer Affairs (DACO) of the Commonwealth of Puerto Rico.

B. Workshop Objectives and Attainments

The detailed objectives and workshop plan are set forth in the original Aide Memoire (see Annex I). The plans, objectives, and workshop topics foreseen were either met or exceeded. Additionally, significant support and resources (at no cost to UNIDO) were generously provided by the hosts in Puerto Rico, i.e. the Department of Consumer Affairs-DACO and the University of Puerto Rico-UPR. These included the vital aspect of Spanish-English simultaneous interpretation, all meeting rooms and local transportation, necessary audiovisual and televideo equipment and support personnel.

I. INDUSTRIAL DEVELOPMENT - CONSUMER PROTECTION DIALOGUE

An important aspect of the workshop objectives was to provide a forum and dialogue between (a) the consumer groups' representatives attending the Workshop, and (b) consumer goods' industrialists, industrial development officials, and other business/industry representatives. It is worth restating this thesis below.

It is imperative that buyers (including consumers) and sellers (including industrialists) maintain a dialogue with each other on issues of product quality, performance, safety, health and environmental impact. In the developing countries particularly, this critical dialogue may be imperfect or even absent. Even in OECD-type countries, consumer experts constantly strive to improve this dialogue. Consumers may express satisfaction, or distrust and grievance when products and performance fail to live up to consumer and government expectations.

This important workshop provided a unique opportunity to bring together both constituencies, namely those representing or protecting the consumer, with those representing industrial development, trade and commerce. It is an important exchange of ideas and perceptions, problems and new solutions. Such solutions can enhance both the industrial infrastructure in consumer goods industries, and also consumer protection when purchasing goods and services in the marketplace.

A list of participants and other attendees is found at Annex IV. This list illustrates the broad range of national, regional and institutional representation and participation brought together.

Participating in the Workshop and related discussions were persons representing several different constituencies among the industrial development and business communities in Puerto Rico. The Better Business Bureau (BBB) of Puerto Rico was represented by its Executive Director. BBBs are customarily supported by business and industry memberships. They provide programmes of public service, consumer education, information on business and industry issues, and can provide efforts at conflict resolution. The BBB of Puerto Rico provided brochures and information on its work, how it functions, and served as an example to the attendees.

A representative was also present for Fomento Económico, the industrial development and export development programme of Puerto Rico. Fomento assisted with cooperation regarding the ISO 9000 and quality standards portion of the Workshop, assisting the Workshop leader in that regard.

In addition, an industrialist and president of a successful small business in Puerto Rico (Luna Paints Corporation) made a presentation to and held discussions with workshop attendees. The message conveyed to an audience primarily from developing countries showed how, from humble roots, anyone can develop a successful business enterprise in consumer goods (e.g. paint manufacture). There was discussion about the importance of quality control and of recycling; also newer environmental business management initiatives necessitated by recent trends in environmental regulation and protection.

In attendance for the entire workshop was the laboratory director for the U. S. Customs Service, San Juan Port. He made several important contributions and discussion about the relationships between business, import controls and consumer product testing, standards and specifications. It was explained how, at ports of entry, customs laboratories inspect and test products entering a market. These laboratories interact directly with business and industry, distributors and retailers. Customs laboratories serve to protect the consumers' health and safety, and to prevent unfair or deceptive labelling on imported goods such as foods, textiles and clothing, toys.

II. CONSUMER PROTECTION

One of the major Workshop themes was to learn further about consumer protection, and to share direct experiences among the attendees and their respective countries. A foundation to this part of the Workshop are the United Nations Guidelines for Consumer Protection. These guidelines (attached at Annex II) were given to all of the attendees, as part of the Workshop materials and handouts. It is important that many more nations, their governments, and consumer experts become familiar with the comprehensive and sophisticated UN guidelines for consumer protection.

Some background and related developments for promoting the UN guidelines were noted. These included a prior Pacific regional seminar on consumer protection, and an upcoming report to the Secretary General on how UN agencies are implementing the guidelines. This Workshop, with its integral promotion of the UN consumer guidelines, plus closely related issues of consumer protection and standardization, is an excellent example by UNIDO.

Literature on COPOLCO, the council committee on consumer policy of the International Organization for Standardization (ISO), was distributed, and its relationship to other ISO council committees and the 200 technical committees was explained. COPOLCO provides an excellent means, along with the ISO development committee DEVCO, for consumer professionals in developing countries to learn from and participate in the international promotion and harmonization of consumer standards work.

The IOCU was ably represented at the Workshop by two members of staff from its Regional Office for Latin America and the Caribbean. There were several occasions in which the IOCU participants described their Organization, its activities, especially those of its Regional Office. These formal and informal contacts, throughout the Workshop, were of benefit to both the attendees and to IOCU.

There was much formal and informal sharing of consumer protection, consumer information and education programmes from each of the attendees and countries. This was most valuable as a source of pride, new ideas and examples for each participant.

III. INTERACTION AMONG WORKSHOP ATTENDEES

One of the most important and lasting outcomes in this form of collaborative workshop is the networking and sharing among all attendees. There was full and active participation by all members.

Simple but valuable is the exchange of respective addresses and contacts among attendees and hosts. A full name and address list was prepared by DACO and given to all participants for future use.

Other persons in the group used the opportunity of the Workshop to further their ideas and joint efforts, with the hope of even greater regional efforts at consumer information and education. One of these is particularly notable, that of a planned comparative testing alliance for consumer products in Latin America. Under the leadership of the IOCU regional representative, there was a special meeting of those attendees from IOCU, Argentina (ADELCO), Brazil (IDEC), Chile (SERNAC) and Mexico (INCO). The thrust of this was to plan for new regional cooperation in Latin America and the Caribbean, sharing efforts and information for comparative testing of consumer products. Some funding might come from IOCU, plus individual project support. A copy of their draft programme is attached at Annex III.

IV. WORKSHOP FORMAT AND MATERIALS

The workshop theme and format, plus detailed contents are found in the attached UNIDO Aide Memoire and Tentative Programme. In summary, the format worked extremely well. There was adequate time for contributions and discussion by all of the Workshop attendees. Discussion focused on specific national examples, experiences, problems, successes, with sharing and exchanging of literature brought by the attendees. This networking was a significant aid and of lasting benefit to all attendees.

Reference material was prepared in advance by the Workshop leader, some of which was photocopied and distributed. These included the UN Guidelines on Consumer Protection, ASTM primer

and reprint "Standards Make the Pieces Fit," a government report of "Questions and Answers on Quality, the ISO 9000 Standards Series, Quality Systems Registration, and Related Issues", and an information booklet on ISO and its consumer policy committee - COPOLCO. In future, and with more lead-time, a more extensive set of informative works and references could be provided. Also, the IOCU Regional Office has recently offered to photocopy additional lecture and reference materials used by the Workshop leader, and to distribute one set each of these to all Workshop attendees in the near future.

There was not funding to purchase a textbook(s) to accompany this Workshop. It is suggested that a recent OECD report discussed below would be an excellent reference to accompany the Workshop material or be subsequently translated into Spanish and given to attendees.

Extensive audiovisual materials were used by both Workshop presenters, including videos and overhead transparencies. These formats improve education, comprehension and interest level. Videos in both Spanish and English were especially obtained for use in this workshop, and aided in its accomplishments. A variety of national sources were used in the video selection.

V. SPECIAL MEDIA - TV SEMINAR

A media and communications expert* and bilingual international television broadcaster, presented a special seminar on "Using Media and Television to Promote Consumer Protection". This was one of several highlights of the Workshop. It served to provide a "hands-on", live television experience to the attendees. It thus complimented all of the prior lectures, discussions, attendees' experiences and question/answer sessions. The media and TV seminar ended the very successful week's programme in an exciting, high energy, interactive and participatory mode for all attendees.

This media and TV seminar demonstrated the following aims:

- a. how consumer protection officials and experts must use the media to promote their activities and achieve programmatic goals;
- b. by using the media effectively, how they can influence public opinion to promote consumer protection;

* Dr. Loida Velilla is a communications and media expert for government and industry. She is a TV producer and anchor for the United States Information Agency (USIA) and its Worldnet TV broadcasting. Dr. Velilla led the half-day special media TV seminar.

- c. to demonstrate how other countries in the Western Hemisphere are using television and TV public service announcements (PSAs) for standards information, consumer education and protection, and to promote quality; and
- d. to teach critical media and TV timing and time constraints.

The seminar was organized in the following manner. The first part consisted of showing numerous short videos, and video PSAs, to illustrate how diverse groups and constituencies can all use television effectively. A short introduction showed consumer protection video PSAs in Spanish from DACO and the Government of Puerto Rico.

Then followed several PSAs from Canada on how standards work, why standards are important, and specific PSAs on consumer standards, health and safety messages. The Canadian example PSAs were from a government agency (SCC), and a private sector accredited standards developer (CSA). Consistent with the industrial development and business-industry theme as well, one PSA from the business community was shown as it promotes consumer product quality and testing. The latter was from a major consumer goods retailer in the USA.

In a second part, all attendees were divided into groups and had to write their own PSA. The short 15-30 second PSA was to focus on a particular situation in their own countries. Each group appointed a spokesperson who then presented their PSA to the group in front of recording TV cameras. Later, all attendees collectively evaluated each video-taped PSA presentation.

Third, unrehearsed impromptu interviews were held with selected attendees to help them develop skills on how to handle the media in difficult situations. Each interview was taped and shown to the group for critique by them and the media expert.

Fourth, specific situations on consumer protection, advertising fraud, environmental health and safety were presented to groups of attendees. Following brief study, each group had a spokesperson serve to hold a live TV press conference, with questions posed directly by the attendees. Again, a critical review of the handling of difficult press interviews was done. Examples from actual TV broadcasts were shown to reinforce the discussion about how to effectively handle press and TV interviews.

Fifth, specific recommendations and demonstrations were made on proper professional image and dressing specifically for television. Video examples, handout notes, and discussion with the attendees were all used.

Lastly, a recommendation was made on how attendees, in their respective countries (either for consumer or industrial interests), can use and work with international TV broadcasting at no cost to themselves. For example, the United States Information Agency (USIA) has a worldwide TV broadcasting network. Known as "Worldnet", it also broadcasts live in Spanish throughout Central and Latin America, using participants from the host countries. Attendees can make suggestions for future shows on topics of standards and standardization, consumer protection.

VI. SUGGESTIONS FOR RELATED WORK, SHORT TERM

A. OECD report

An important and very pertinent reference work, covering many of the same themes as this UNIDO Workshop, was published in 1991 by the Organization for Economic Cooperation and Development (OECD) in Paris. The 73 page report is titled "Consumers, Product Safety Standards, and International Trade", ISBN 92-64-13479-4, OECD code 24-91-01-1, at USD \$ 16.00. There was no budget for attendees to obtain this report. It would be more valuable if it were translated into Spanish for widespread use throughout Latin America and the Caribbean.

The Workshop leader and the UNIDO Industrial Development Officer agreed to the convenience of pursuing several options and funding sources to have this OECD report translated and reproduced in Spanish. It could then be given to each of the attendees. OECD could also consider making the publication available for sale through its regional sales offices in Latin America and Europe.

B. ISO COPOLCO/DEVCO Workshop in 1993

The Workshop leader encouraged greater national participation in the important work of the International Organization for Standardization (ISO) based in Geneva, Switzerland. Of immediate interest are the forthcoming ISO council committee meetings and Workshop on consumer safety and standards, tentatively scheduled for late April 1993 in Geneva. There will be consecutive meetings of the ISO council committees on development, DEVCO; and on consumer policy, COPOLCO; plus their joint workshop noted above. This is a fine opportunity for participants from developing countries to attend the workshop and one or both of these ISO committees.

The UNIDO representative stressed the excellent working relations UNIDO has with ISO. In fact, a co-operation agreement signed between the two organizations provides the framework for a Joint UNIDO/ISO Committee which meets once a year to discuss concrete co-operation and review the ongoing and future joint programmes in the fields of standardization and quality control. ISO also enjoys consultative status with UNIDO.

VII. RECOMMENDATIONS AND LONGER TERM WORK

A. Future regional seminars

There is clear and unequivocal evidence for this type of Workshop to be repeated in other geographic areas of the world. The success of this Workshop attests to its importance and critical need elsewhere. The Workshop demonstrated and attests to the energy and enthusiasm which the host nation, region and attendees bring to these themes. This was seen, for example, by the extraordinary support from Puerto Rico, its Government, consumer affairs agency DACO, and its well developed industrial and business communities. Linking together aspects of industrial development, industrial and consumer product standards, standardization and quality principles, with consumer protection, information and education, is novel, innovative and it works.

A key area for future UNIDO workshop(s) is that of Central and Eastern Europe, comprising the new market economies therein. There is much worldwide attention, and financial resources, targeted at this region and in support of their emerging capital and consumer markets. Indeed, OECD held a special seminar in Vienna which then led to further support and ongoing activities. Several of the large, industrialized nations have targeted funds and special support for programmes in Central and Eastern Europe, Russia, and nations in the Commonwealth of Independent States. To newly emerging, market-based economies, consumer issues and consumer protection are absolutely critical; and usually minimal or nonexistent due to prior economic structures.

Other areas for regional workshops of this type include the Middle East, where the Workshop leader has extensive experience working with consumer protection officials. The standards director for Egypt (EOS) has previously expressed strong interest in hosting such a programme. Again, there are national funding sources which may assist UNIDO in this effort. It may be possible to combine some of the African nations in this seminar, or hold a separate workshop for the African subcontinent. The director of the Ghana Standards Board has already urged that similar training and workshop programmes be made available.

B. Media and communications seminar

The special half-day seminar on using media and TV to promote consumer protection, standards, and consumer education was a very useful and practical part of this Workshop. And it was so interesting, to many, that it could easily have filled a full day's programme. In future considerations, time should be allotted to have the media, communications and TV seminar occupy a full day. In that way, all attendees could receive actual on camera experience, with personal attention, and other aspects such as radio and press-print media could be more adequately addressed.

C. Advanced Industrial Seminar on Consumer Quality and Standards

It was apparent to the Workshop leader, to UNIDO, and to most attendees, that the issue of international quality standards are critically important to all developing countries. This issue refers to the "ISO 9000" series of quality assurance and quality management standards. Related to and with ISO 9000 standards are their further use by independent, accredited bodies in a scheme known variously as quality systems registration, quality registration, or in Europe as quality certification. It was notable to see that most consumer officials and consumer representatives in this Workshop were interested in newer quality developments as were the industrialists, the national standards bodies, certifiers, trade promotion officials, economic development officers, etc.

Traditionally, it is the industrial infrastructure groups that focus on quality promotion, quality assurance, and this is correct. There is a need for seminars and/or workshops that link quality standards, evaluating quality and performance of consumer products, aspects of consumer product testing, test method development, and certification. This could serve as an advanced, future workshop to the current attendees; or be combined with another companion workshop on industrial quality and standardization.



UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

VIENNA INTERNATIONAL CENTRE

P.O. BOX 300, A-1400 VIENNA, AUSTRIA

TELEPHONE: 211 310 TELEGRAPHIC ADDRESS: UNIDO VIENNA TELEX: 135612 uno a FAX: 232156

A I D E M E M O I R E

WORKSHOP ON CONSUMER PROTECTION AND
PRODUCT STANDARDIZATION IN DEVELOPING COUNTRIES

organized by

The United Nations Industrial Development Organization
(UNIDO)

in co-operation with

The International Organization of Consumer Unions
(IOCU)

San Juan, Puerto Rico
1 - 5 June 1992

1. Background

The International Organization of Consumers Unions (IOCU) based in The Hague, is the world centre for consumer affairs. It was founded in 1960 by five consumer unions (from the USA, UK, Australia, Belgium and the Netherlands). Today, IOCU links the activities of some 130 consumer organizations in more than fifty countries. It has set up regional offices in Penang, Malaysia, and most recently in Santiago, Chile. IOCU, which is in consultative status with UNIDO, recently approached UNIDO to discuss closer co-operation between the two Organizations. This project is the result of such discussions.

Consumer protection and standardization programmes are strong in industrialized countries where standardization and product quality are highly controlled. However, in many developing nations, consumer protection often leaves much to be desired; for instance, market sampling, product testing, informative labelling, etc., are not thoroughly carried out. The consumers are therefore left with little or no information on the available products that they must buy. Consumer groups/associations are therefore created to supply unbiased, objective information and advice that helps the consumer to make a sound choice. Moreover, national and international product standardization is essential, not only to meet requirements to face international competition, but also to ensure that the products available to the consumer meet agreed levels of quality, safety and performance.

Industrial economies and free markets cannot thrive without buyers to purchase the goods and services offered. These buyers may be industrial purchasers of raw materials or components for conversion into finished goods, or the buyers may be distributors and retailers in the stream of distribution and commerce. But ultimately there must be consumers, whether such consumers are industrial purchasers or the final consumer in the market place. It is thus inevitable that there are linkages between buyers and sellers. Very often the issues of product standardization, and of consumer protection, have common interests (albeit differing perspective) for both buyers and sellers.

It is imperative that buyers (including consumers) and sellers (including industrialists) maintain a dialogue with each other on issues of product quality, performance, safety, health and environment impact. In the developing countries particularly, this critical dialogue may be imperfect or absent. Even in OECD-type developed nations, consumer experts constantly strive to improve this dialogue. Consumers may express satisfaction, or distrust and grievance when products and performance fail to live up to consumer and government expectations.

The present five-day workshop is being organized in close collaboration with IOCU and its regional office for Latin America. It will provide a unique opportunity to bring together some fifteen senior officials from consumer organizations and consumer government agencies, with senior industrialists from the consumer goods industries. This creates a fusion of many aspects of industrial co-operation and commerce; from production through distribution, to the purchase and consumption of consumer goods. It leads to a vital exchange of ideas, experience, problems and possible new solutions. These solutions can enhance both the industrial infrastructure in consumer goods industries, and consumer protection when purchasing goods and services in the market place.

An underpinning of this workshop, and the common theme bridging together both consumers and industrialists, is the critical role that standards, standardization, and quality assurance play in product performance and consumer protection. The "language" of standardization, its principles and practices, are equally important to both industrialists in consumer goods, and to consumer officials or consumer representatives.

The project will also have a direct impact on the environment since in the long run, it will make industry and the general public more aware of green consumerism, i.e. increased consumer demand for environmentally friendly products. In some industrialized nations, these issues are very important with regard to the growing acceptance of corporate environmental responsibility. However, in Latin America and other developing regions, green consumerism and green labelling are still far behind.

2. Objectives

To provide consumer organizations from developing countries with assessed information on consumer standardization and protection programmes in order to enable them to enhance or develop similar programmes in their own countries.

3. Workshop activities

The Workshop will last five working days and will consist of lectures by experts in industrial standardization testing, quality control and certification/conformity assessment of consumer products; brief reports by participants from the invited countries, and discussions. One half day will be devoted to a presentation by a media expert on "Using Media and Television to promote Consumer Standardization". The tentative Agenda of the Workshop is attached.

4. Participation

Some 15 senior officials coming from consumer organizations and/or consumer government agencies from Latin American countries, will be invited by UNIDO to attend the Workshop. In addition, up to five senior industrialists (mainly from the host country) coming from the consumer goods industries will also be invited to share their experiences in product manufacturing regarding standardization, safety and environmental matters. The participants from Latin American countries will be requested to present brief reports on the current status and problems facing the consumer movement in their own countries.

5. Location and Date

The Workshop will be held in San Juan, Puerto Rico, from 1 to 5 June 1992.

6. Working Language

The main Workshop lectures will be conducted in English. Participants therefore will be required to have a good working knowledge of English. However, Latin American participants may present their reports in Spanish, as all of the resource persons have a good working knowledge of Spanish. Simultaneous interpretation English/Spanish will not be provided.

7. Travel and Administrative Arrangements

- (i) UNIDO will provide a round trip economy class ticket between the airport of departure in the participant's home country and San Juan, Puerto Rico, as well as daily subsistence allowance in accordance with UNIDO rules. Participants will be contacted by the local airline or through the office of the Resident Representative of the United Nations Development Programme (UNDP) in their respective countries.
- (ii) The participants will be required to bear all expenses in the home country incidental to travel abroad, such as expenditures for passport, visas, medical examinations, vaccinations if needed, and other miscellaneous details as well as internal travel to and from the airport of departure in their home country;
- (iii) The organizers of the Workshop will not assume any responsibility for the following expenditures in connection with the participants' attendance:
 - (a) costs incurred by participants with respect to any insurance, medical bills and hospitalization fees;
 - (b) compensation in the event of death, disability or illness;
 - (c) loss of, or damage to personal property;
 - (d) travel costs or any other expenses incurred by dependants who might accompany the participants; and
 - (e) costs incurred due to travel other than the most direct route and authorized mode.

Workshop on Consumer Protection and Product
Standardization in Developing Countries

TENTATIVE PROGRAMME

DAY 1

- Morning** Welcome to participants, and presentations by UNIDO and IOCU representatives.
Overview of Standardization: Introduction, workshop objectives.
Brief history of standardization, aims and benefits.
- Afternoon** Types, categories, uses, definitions of standards.
Consumer rights, and what standards do for consumers.
Applying consumer standardization; discussion.

DAY 2

STRUCTURE AND ROLE OF STANDARDIZATION SYSTEMS

- Morning** National standards; models of national standards systems.
Consumer input, representation in national standardization.
Problems inherent to consumer standardization.
Structure and role of regional standardization systems.
Structure and role of international standardization.
- Afternoon** Consumer input, roles in regional and international standards.
Importance of ISO/COPOLCO, IOCU, UNIDO, et al.
Specific problems in national and international consumer standardization programmes; reports by participants, discussions, questions-answers.

DAY 3

STANDARDS AND CONSUMER PRODUCT QUALITY

- Morning** Introduction to Quality Assurance (QA), Quality Control (QC), Total Quality Management (TQM) and their systems.
Introduction to ISO 9000 quality system standards.
- Afternoon** Consumer product certification and standards information, certification vs. informative labelling vs. comp. testing.
Examples from members' countries, with discussion.

DAY 4

STANDARDS AND CONSUMER PRODUCT TRADE, SAFETY ISSUES

- Morning** Globalization, standardization and international trade.
GATT and the avoidance of technical trade barriers.
The Standards Code and its main features.
- Afternoon** Customs and import (port of entry) testing for consumer products, market sampling, testing and product conformity.
Health and safety issues. Examples, success, problems; with discussion by participants and their specific country issues.

DAY 5**STANDARDS AND CONSUMER PROTECTION IN DEVELOPING COUNTRIES****Morning**

Regulatory uses of standards, mandatory and voluntary standards, adoption and reference to standards in law. Information sharing on consumer product safety.

Afternoon

Standards information and education. Training of developing countries' standardizers/personnel. Seminar on "Using Media and Television to Promote Consumer Standardization". The Seminar will be conducted by a media expert.

GUIDELINES FOR CONSUMER PROTECTION



UNITED NATIONS
New York, 1986

Departamento de Asuntos Económicos y Sociales Internacionales

DIRECTRICES PARA LA PROTECCION DEL CONSUMIDOR



NACIONES UNIDAS
Nueva York, 1986

Preface

The General Assembly adopted guidelines for consumer protection by consensus on 9 April 1985 (General Assembly resolution 39/248). The guidelines provide a framework for Governments, particularly those of developing countries, to use in elaborating and strengthening consumer protection policies and legislation. They are also intended to encourage international co-operation in this field.

The origins of the guidelines can be traced to the late 1970s, when the Economic and Social Council recognized that consumer protection had an important bearing on economic and social development. In 1977, the Council asked the Secretary-General to prepare a survey of national institutions and legislation in the area of consumer protection. In 1979, the Council requested a comprehensive report containing proposals for measures on consumer protection for consideration by Governments. In 1981, the Council, aware of the need for an international policy framework within which further efforts for consumer protection could be pursued, requested the Secretary-General to continue consultations with the aim of developing a set of general guidelines for consumer protection, taking particularly into account the needs of the developing countries.

Accordingly, the Secretary-General carried out consultations with Governments and international organizations and submitted draft guidelines for consumer protection to the Economic and Social Council in 1983. During the next two years there were extensive discussions and negotiations among Governments on the scope and content of the guidelines, culminating in their adoption in 1985.

Prefacio

La Asamblea General aprobó por consenso las directrices para el consumidor el 9 de abril de 1985 (resolución 39/248 de la Asamblea General). Las directrices proporcionan a los gobiernos, particularmente de los países en desarrollo, un marco para la elaboración y el fortalecimiento de la legislación y las políticas de protección del consumidor. También tienen por objeto promover la cooperación internacional en esta esfera.

Los orígenes de las directrices se remontan a finales del decenio de 1970, cuando el Consejo Económico y Social reconoció que la protección del consumidor ejercía importante influencia sobre el desarrollo económico y social. En 1977, el Consejo pidió al Secretario General que preparase un estudio sobre las instituciones y las disposiciones jurídicas vigentes en la esfera de la protección del consumidor. En 1979, el Consejo pidió que se preparase un informe amplio que incluyese propuestas de medidas sobre protección de los consumidores para su examen por los gobiernos. En 1981, el Consejo, consciente de la necesidad de contar con un marco básico de política a nivel internacional para el despliegue de nuevos esfuerzos en la esfera de la protección del consumidor, pidió al Secretario General que prosiguiese las consultas con objeto de elaborar una serie de orientaciones generales para la protección del consumidor, teniendo particularmente en cuenta las necesidades de los países en desarrollo.

En consecuencia, el Secretario General celebró consultas con gobiernos y organizaciones internacionales y presentó proyectos de directrices para la protección del consumidor al Consejo Económico y Social en 1983. En los dos años siguientes los gobiernos celebraron amplias deliberaciones y negociaciones sobre el alcance y el contenido de las directrices, que culminaron con la aprobación de las directrices en 1985.

GUIDELINES FOR CONSUMER PROTECTION

I. OBJECTIVES

1. Taking into account the interests and needs of consumers in all countries, particularly those in developing countries, recognizing that consumers often face obstacles in economic, social, educational levels, and bargaining power, and bearing in mind that consumers should have the right of access to non-hazardous products, as well as the importance of promoting well-organized and sustainable economic and social development, these guidelines for consumer protection have the following objectives:
 - (a) To assist countries in achieving or maintaining adequate protection for their population as consumers.
 - (b) To facilitate production and distribution patterns responsive to the needs and desires of consumers.
 - (c) To encourage high levels of ethical conduct for those engaged in the production and distribution of goods and services to consumers.
 - (d) To assist countries in carrying advance business practices by all enterprises at the national and international levels which adversely affect consumers.
 - (e) To facilitate the development of independent consumer groups.
 - (f) To further international co-operation in the field of consumer protection.
 - (g) To encourage the development of market conditions which provide consumers with greater choice at lower prices.

II. GENERAL PRINCIPLES

2. Governments should develop, strengthen or maintain a strong consumer protection policy, taking into account the guidelines set out below. In so doing, each Government must set its own priorities for the protection of consumers in accordance with the economic and social circumstances of the country, and the needs of its population, and bearing in mind the costs and benefits of proposed measures.
 1. The legislative needs which the guidelines are intended to meet are the following:
 - (a) The protection of consumers from hazards to their health and safety.

DIRECTIVES PARA LA PROTECCION DEL CONSUMIDOR

I. OBJETIVOS

1. Teniendo en cuenta los intereses y las necesidades de las comunidades de todos los países, y particularmente de las países en desarrollo, reconociendo que los consumidores a menudo encuentran obstáculos en cuanto a capacidad económica, nivel de educación y poder de negociación, y teniendo en cuenta que los consumidores deben tener el derecho de acceso a productos que no sean peligrosos, así como la importancia de promover un desarrollo económico y social justo, equitativo y sostenible, las presentes directrices para la protección del consumidor persiguen los siguientes objetivos:
 - a) Ayudar a los países a lograr o mantener una protección adecuada de sus habitantes en calidad de consumidores.
 - b) Facilitar las modalidades de producción y distribución que respondan a las necesidades y los deseos de los consumidores.
 - c) Llevar a que unas se ocupen de la producción de bienes y servicios y de su distribución a los consumidores a que adopten ciertas normas éticas de conducta.
 - d) Ayudar a los países a poner fin a las prácticas comerciales abusivas de todos los países, a nivel nacional e internacional, que perjudiquen a los consumidores.
 - e) Facilitar la creación de grupos independientes de defensa del consumidor.
 - f) Fomentar la cooperación internacional en la esfera de la protección del consumidor.
 - g) Promover el establecimiento en el mercado de condiciones que den a los consumidores una mayor selección a precios más bajos.

II. PRINCIPIOS GENERALES

2. Corresponde a los gobiernos formular, fortalecer o mantener una política obligatoria de protección del consumidor, teniendo en cuenta las directrices que siguen más adelante. Al hacerlo, cada gobierno debe establecer sus propias prioridades para la protección de los consumidores, según las circunstancias económicas y sociales del país y las necesidades de su po-

- (b) The promotion and protection of the economic interests of consumers.

- (c) Access of consumers to adequate information to enable them to make informed choices according to individual values and needs.
- (d) Consumer education.
 - (i) Freedom to form consumer and other relevant groups or organizations and the opportunity of such organizations to present their views in decision-making processes affecting them.
4. Governments should provide or maintain adequate infrastructure to develop, implement and monitor consumer protection policies. Special care should be taken to ensure that measures for consumer protection are implemented for the benefit of all sectors of the population, particularly the rural population.
5. All countries should obey the relevant laws and regulations of the countries in which they do business. They should also conform to the appropriate provisions of international standards for consumer protection to which the competent authorities of the country in question have agreed. (Harmonized references to international standards in the guidelines should be viewed in the context of this paragraph.)
6. The potential positive role of universities and public and private enterprises in research should be considered when developing consumer protection policies.

III. GUIDELINES

7. The following guidelines should apply both to home-produced goods and services and to imports.
 1. In applying any procedures or regulations for consumer protection, due regard should be given to ensuring that they do not become barriers to international trade and that they are consistent with international trade obligations.
 - A. Physical Safety
 9. Governments should adopt or encourage the adoption of appropriate measures, including legal systems, safety regulations, national or international standards, voluntary standards and the maintenance of safety

1. Las autoridades legítimas que las diferentes programas atender son las siguientes:

- a) La protección de los consumidores frente a los riesgos para su salud y su seguridad.
- b) La protección y promoción de los intereses económicos de los consumidores.
- c) El acceso de los consumidores a una información adecuada que les permita hacer elecciones bien fundadas conforme a los deseos y necesidades de cada país.
- d) La educación del consumidor.
 - 9) La posibilidad de organización dentro el consumidor.
 - f) La libertad de cualquier grupo u otra organizaciones pertinentes de consumidores, y la oportunidad para esas organizaciones de hacer oír sus opiniones en los procesos de adopción de decisiones que les afectan.
4. Los gobiernos deben establecer o mantener una infraestructura adecuada que permita formular, aplicar y vigilar el funcionamiento de las políticas de protección del consumidor. Debe prestarse especial atención a la necesidad de garantizar que las medidas de protección del consumidor se apliquen en beneficio de todos los sectores de la población, y en particular de la población rural.
5. Todos las empresas deben acatar las leyes y reglamentos aplicables en los países en que realizan sus operaciones. Deben también acatar las normas internacionales pertinentes para la protección del consumidor que hayan acordado a aplicar las autoridades competentes del país de que se trate. (En lo que sigue, las referencias a las normas internacionales en sus directrices deben entenderse en el contexto del presente párrafo.)
6. Al elaborar políticas de protección del consumidor debe tenerse en cuenta el posible papel positivo que puedan desempeñar las universidades y las empresas públicas y privadas en la investigación.

III. DIRECTRICES

4. records to ensure that products are safe for either intended or normally foreseeable use.

10. Appropriate policies should ensure that goods produced by manufacturers are safe for either intended or normally foreseeable use. Those responsible for bringing goods to the market, in particular suppliers, exporters, importers, retailers and the like (hereinafter referred to as "distributors"), should ensure that while in their care these goods are not rendered unsafe through improper handling or storage and that while in their care they do not become hazardous through improper handling or storage. Consumers should be instructed in the proper use of goods and should be informed of the risks involved in intended or normally foreseeable use. Vital safety information should be conveyed to consumers by internationally understandable symbols wherever possible.

11. Appropriate policies should ensure that if manufacturers or distributors become aware of unforeseen hazards after products are placed on the market, they should notify the relevant authorities and, as appropriate, the public without delay. Governments should also consider ways of ensuring that consumers are properly informed of such hazards.

12. Governments should, where appropriate, adopt policies under which, if a product is found to be seriously defective and/or to constitute a substantial and severe hazard even when properly used, manufacturers and/or distributors should recall it and replace or modify it, or substitute another product for it; if it is not possible to do this within a reasonable period of time, the consumer should be adequately compensated.

B. Promotion and protection of consumers' economic interests

13. Government policies should seek to enable consumers to obtain optimum benefit from their economic resources. They should also seek to achieve the goals of satisfactory production and performance standards, adequate distribution methods, fair business practices, informative marketing and effective protection against practices which could adversely affect the economic interests of consumers and the exercise of choice in the market-place.

14. Governments should intensify their efforts to prevent practices which are damaging to the economic interests of consumers through ensuring that manufacturers, distributors and others involved in the provi-

sion of goods and services adhere to established laws and mandatory standards. Consumer organizations should be encouraged to monitor adverse practices, such as the adulteration of foods, false or misleading claims in marketing and service frauds.

15. Governments should develop, strengthen or maintain, as the case may be, measures relating to the control of restrictive and other abusive business practices which may be harmful to consumers, including means for the enforcement of such measures. In this connection, Governments should be guided by their commitment to the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices adopted by the General Assembly in resolution 35/63 of 3 December 1980.

16. Governments should adopt or maintain policies that make clear the responsibility of the producer to ensure that goods meet reasonable demands of durability, utility and reliability, and are suited to the purpose for which they are intended, and that the seller should see that these requirements are met. Similar policies should apply to the provision of services.

17. Governments should encourage fair and effective competition in order to provide consumers with the greatest range of choice among products and services at the lowest cost.

18. Governments should, where appropriate, see to it that manufacturers and/or retailers ensure adequate availability of reliable after-sales service and spare parts.

19. Consumers should be protected from such contractual abuses as one-sided standard contracts, extinction of essential rights in contracts, and unconscionable conditions of credit by sellers.

20. Promotional marketing and sales practices should be guided by the principle of fair treatment of consumers and should meet legal requirements. This requires the provision of the information necessary to enable consumers to take informed and independent decisions, as well as measures to ensure that the information provided is accurate.

21. Governments should encourage all concerned to participate in the free flow of accurate information on all aspects of consumer products.

22. Governments should, within their own national context, encourage the formulation and implementation by business, in co-operation with

4. 8. Al aplicar cualesquiera procedimientos o reglamentos para la protección del consumidor, deberá velarse por que no se conviertan en barreras para el comercio internacional y que sean compatibles con las obligaciones del comercio internacional.

A. Seguridad física

9. Los gobiernos deben adoptar o fomentar la adopción de medidas apropiadas, incluidos sistemas jurídicos, reglamentaciones de seguridad, normas nacionales o internacionales, normas voluntarias y el mantenimiento de registros de seguridad, para garantizar que los productos sean inocuos en el uso al que se destinan o normalmente previsible.

10. Se deben adoptar medidas generales para garantizar que los artículos producidos por los fabricantes sean inocuos para el uso al que se destinan y para el normalmente previsible. Los responsables de introducir los artículos en el mercado, en particular los proveedores, exportadores, importadores, minoristas y similares (en lo que sigue denominados "distribuidores") deben velar por que, mientras están a su cuidado, esos artículos no pierdan su inocuidad debido a manipulación e almacenamiento inadecuados. Se deben facilitar a los consumidores instrucciones sobre el uso adecuado de los artículos e información sobre los riesgos que conlleva el uso al que se destinan o el normalmente previsible. Dentro de lo posible, la información de vital importancia sobre cuestiones de seguridad debe comunicarse a los consumidores mediante símbolos comprensibles internacionalmente.

11. Se deben adoptar medidas generales para que los fabricantes o distribuidores notifiquen sin demora a las autoridades competentes y al público, según proceda, la existencia de peligros no previstos de que se hayan percatado con posterioridad a la introducción de los productos en el mercado. Los gobiernos también deben estudiar los métodos para garantizar que los consumidores estén debidamente informados sobre esos peligros.

12. Los gobiernos deben adoptar, cuando proceda, políticas en virtud de las cuales, si se descubre que un producto adolece de un defecto grave y/o constituye un peligro considerable aun cuando se utilice en forma ade-

B. Promoción y protección de los intereses económicos de los consumidores

13. Las políticas de los gobiernos deben tratar de hacer posible que los consumidores obtengan el máximo beneficio de sus recursos económicos. También deben tratar de alcanzar las metas en materia de producción satisfactoria y normas de funcionamiento, procedimientos adecuados de distribución, prácticas comerciales leales, comercialización informativa y protección efectiva contra las prácticas que puedan perjudicar los intereses económicos de los consumidores y la posibilidad de elegir en el mercado.

14. Los gobiernos deben intensificar sus esfuerzos para impedir el empleo de prácticas que perjudiquen los intereses económicos de los consumidores, garantizando que los productores, los distribuidores y cuantos participan en la provisión de bienes y servicios cumplan las leyes y las normas obligatorias vigentes. Se debe dar alicote a las organizaciones de consumidores para que vigilen prácticas perjudiciales como la adulteración de alimentos, la comercialización basada en afirmaciones falsas o capciosas y los fraudes en la prestación de servicios.

15. Los gobiernos deben elaborar, reforzar o mantener, según proceda, medidas relativas al control de las prácticas comerciales restrictivas y otras de tipo abusivo que puedan perjudicar a los consumidores, así como medidas para hacer efectivas esas medidas. Al respecto, los gobiernos deben guiarse por su adhesión al Conjunto de principios y normas equitativos convenidos multilateralmente para el control de las prácticas comerciales restrictivas, aprobado por la Asamblea General en su resolución 35/63, de 3 de diciembre de 1980.

16. Los gobiernos deben adoptar o mantener políticas que especifiquen las responsabilidades del fabricante para asegurar que los artículos satisfagan los requisitos normales de durabilidad, utilidad y fiabilidad y sean aptos para el fin a que se destinan y que el vendedor vele por que esos requisitos se cumplan. Las mismas políticas deben regir la prestación de servicios.

consumer organizations, of codes of marketing and other business practices to ensure adequate consumer protection. Voluntary agreements may also be established jointly by business, consumer organizations and other interested parties. These codes should receive adequate publicity.

23. Governments should regularly review legislation pertaining to weights and measures and assess the adequacy of the machinery for its enforcement.

C. Standards for the safety and quality of consumer goods and services

24. Governments should, as appropriate, formulate or promote the creation and implementation of standards, voluntary and other, at the national and international levels for the safety and quality of goods and services and give them appropriate publicity. National standards and regulations for product safety and quality should be reviewed from time to time, in order to ensure that they conform, where possible, to generally accepted international standards.

25. Where a standard lower than the generally accepted international standard is being applied because of local economic conditions, every effort should be made to raise that standard as soon as possible.

26. Governments should encourage and ensure the availability of facilities to test and certify the safety, quality and performance of essential consumer goods and services.

D. Distribution facilities for essential consumer goods and services

27. Governments should, where appropriate, consider:

(a) Adopting or maintaining policies to ensure the efficient distribution of goods and services to consumers, where appropriate, specific policies should be considered to ensure the distribution of essential goods and services where this distribution is endangered, as could be the case particularly in rural areas. Such policies could include assistance for the creation of delivery routes and retail facilities in rural areas, incentives for consumer self-help and better control of the conditions under which essential goods and services are provided in rural areas.

(b) Encouraging the establishment of consumer co-operatives and related trading activities, as well as information about them, especially in rural areas.

18. Los gobiernos deben velar, si procede, por que los fabricantes o minoristas aseguran la disponibilidad adecuada de un servicio confiable posterior a la venta y de piezas de repuesto.

19. Los consumidores deben gozar de protección contra abusos comerciales como el uso de condiciones uniformes que favorezca a una de las partes, la no inclusión de derechos fundamentales en los contratos y la imposición de condiciones excesivamente estrictas para la concesión de créditos por parte de los vendedores.

20. Las prácticas de promoción empleadas en la comercialización y la venta deben basarse en el principio del trato justo de los consumidores y deben satisfacer los requisitos jurídicos. Ello requiere el suministro de la información necesaria para que los consumidores puedan tomar decisiones bien fundadas e independientes, así como la adopción de medidas para asegurar la exactitud de la información suministrada.

21. Los gobiernos deben alertar a todos los interesados a participar en la libre circulación de información exacta sobre todos los aspectos de los productos de consumo.

22. Los gobiernos deben, dentro de sus propios países, promover la formulación y aplicación por parte de las empresas, en colaboración con las organizaciones de consumidores, de códigos de comercialización y otras prácticas comerciales para asegurar una adecuada protección del consumidor. También pueden considerarse acuerdos voluntarios conjuntos por parte de las empresas, las organizaciones de consumidores y otras partes interesadas. Estos códigos deben recibir una publicidad adecuada.

23. Los gobiernos deben examinar periódicamente las normas jurídicas relacionadas con pesas y medidas y determinar la eficacia de sus mecanismos de aplicación.

C. Normas para la seguridad y calidad de los servicios y bienes de consumo

24. Los gobiernos deberán, según proceda, formular o promover la formulación y aplicación, en los planes nacional e internacional, de normas, voluntarias o de otro índole, de seguridad y calidad de los bienes y servicios y dar a dichas normas la publicidad apropiada. Las normas y regulaciones nacionales relativas a la seguridad y calidad de los productos deberán revisarse de tanto en tanto para asegurarse de que, en lo posible, se ajusten a normas internacionales de aceptable general.

25. Medios creando conciencia en otros países

28. Governments should establish or maintain legal and/or administrative measures to enable consumers or, as appropriate, relevant organizations to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Such procedures should take particular account of the needs of low-income consumers.

29. Governments should encourage all consumers to resolve consumer disputes in a fair, expeditious and informal manner, and to establish voluntary mechanisms, including advisory services and informal complaint procedures, which can provide assistance to consumers.

30. Information on available redress and other dispute-resolving procedures should be made available to consumers.

F. Education and information programmes

31. Governments should develop or encourage the development of general consumer education and information programmes, bearing in mind the cultural traditions of the people concerned. The aim of such programmes should be to enable people to act in discriminating consumers, capable of making an informed choice of goods and services, and conscious of their rights and responsibilities. In developing such programmes, special attention should be given to the needs of disadvantaged consumers, in both rural and urban areas, including low-income consumers and those with low or non-critical literacy levels.

32. Consumer education should, where appropriate, become an integral part of the basic curriculum of the educational system, preferably as a component of existing subjects.

33. Consumer education and information programmes should cover such important aspects of consumer protection as the following:

- (a) Health, nutrition, prevention of food-borne diseases and food adulteration;
- (b) Product hazards;
- (c) Product labelling;
- (d) Relevant legislation, how to obtain redress, and agencies and organizations for consumer protection;
- (e) Information on weights and measures, price, quality, credit conditions and availability of basic necessities; and

25. Cuando debido a las condiciones económicas locales se aplique una norma de nivel inferior a la de una norma internacional de aceptación general, debería hacerse todos los esfuerzos necesarios para elevar dicho nivel lo antes posible.

26. Los gobiernos deben fomentar y garantizar la disponibilidad de servicios para enseñar y certificar la seguridad, la calidad y el buen funcionamiento de los servicios y bienes de consumo comercial.

D. Sistema de distribución de servicios y bienes de consumo esenciales

27. Cuando proceda, los gobiernos deberán examinar la posibilidad de: a) Adoptar o mantener políticas para asegurar la distribución eficiente de bienes y servicios a los consumidores cuando proceda, deberán estudiar políticas especiales para asegurar la distribución de bienes y servicios abundantemente esenciales cuando dicha distribución se vea amenazada, como podría ocurrir, sobre todo, en el caso de las zonas rurales. Tales políticas podrían incluir la creación de asistencia para la creación de instalaciones apropiadas de almacenamiento y venta al por mayor en los centros rurales, la construcción del mejoramiento del consumidor y el perfeccionamiento del control de las condiciones en que se suministran los bienes y servicios esenciales en las zonas rurales.

b) Fomentar la creación de cooperativas de consumidores y las actividades comerciales afines y la información al respecto, especialmente en las zonas rurales.

E. Medidas que permitan a los consumidores obtener compensación

28. Los gobiernos deben evaluar o mantener medidas jurídicas o administrativas para permitir que los consumidores o, en su caso, las organizaciones representativas obtengan compensación mediante procedimientos oficiales o extrajudiciales que sean rápidos, justos, poco costosos y sencillos. Al establecer tales procedimientos deben tenerse especialmente en cuenta las necesidades de los consumidores de bajos ingresos.

29. Los gobiernos deben alertar a todos los empresarios a solucionar las controversias con los consumidores en forma justa, rápida y dentro de los marcos legales, y a crear mecanismos voluntarios, como servicios de asesoramiento y procedimientos extrajudiciales para presentar reclamaciones, que puedan prestar asistencia a los consumidores.

6. As appropriate, pollution and environment.

14. Governments should encourage consumer organizations and other interested groups, including the media, to undertake education and information programmes, particularly for the benefit of low-income consumer groups in rural and urban areas.
15. Businesses should, where appropriate, undertake or participate in formal and informal consumer education and information programmes.
16. Bearing in mind the need to reach rural consumers and encourage the consumer, Governments should, as appropriate, develop or encourage the development of consumer information programmes in the mass media.
17. Governments should organize or encourage training programmes for educators, mass media professionals and consumer activists, to enable them to participate in carrying out consumer information and education programmes.

G. Matters relating to specific areas

38. In advancing consumer interests, particularly in developing countries, Governments should, where appropriate, give priority to areas of essential concern for the health of the consumer, such as food, water and pharmaceuticals. Policies should be adopted or maintained for product quality control, adequate and secure distribution facilities, standardized international labelling and information, as well as education and research programmes in these areas. Government guidelines in regard to specific areas should be developed in the context of the provisions of this document.
39. Food. When formulating national policies and plans with regard to food, Governments should take into account the need of all consumers for food security and should support and, as far as possible, adopt standards from the Food and Agriculture Organization of the United Nations and the World Health Organization Code of Alimentarius or, in their absence, other generally accepted international food standards. Governments should maintain, develop or improve food safety measures, including, *inter alia*, safety criteria, food standards and dietary requirements and effective monitoring, inspection and evaluation mechanisms.
40. Water. Governments should, within the goals and targets set for the International Drinking Water Supply and Sanitation Decade, formulate, maintain or strengthen national policies to improve the supply, distribution and quality of water for drinking.

30. Se debe facilitar a los consumidores información sobre los procedimientos vigentes y de otra índole para obtener compensación y solucionar controversias.

F. Programas de educación e información

31. Los gobiernos deben estimular la formulación de programas generales de educación e información del consumidor, teniendo en cuenta las tradiciones culturales del pueblo de que se trate. El objetivo de tales programas debe consistir en capacitar a los consumidores para que sepan discernir, puedan hacer elecciones bien fundadas de bienes y servicios, y tengan conciencia de sus derechos y obligaciones. Al formular dichos programas, debe prestarse especial atención a las necesidades de los consumidores que se encuentran en situaciones desventajosas, tales en las zonas rurales como urbanas, incluidos los consumidores de bajos ingresos y aquellos que sean casi o totalmente analfabetos.
32. La educación del consumidor debe llegar, si procede, a formar parte integrante del programa básico del sistema educativo, de preferencia como componente de asignaturas y/o materias.
33. La educación del consumidor y los programas de información deben abarcar aspectos tan importantes de la protección del consumidor como los siguientes:
 - a) Sanidad, nutrición, prevención de las enfermedades transmisibles por los alimentos y adulteración de los alimentos;
 - b) Peligros de los productos;
 - c) Rotulado de productos;
 - d) Legislación pertinente, forma de obtener compensación y organizaciones y organizaciones de protección al consumidor;
 - e) Información sobre pesos y medidas, precio, calidad, condiciones para la concesión de créditos y disponibilidad de los servicios de primera necesidad; y

34. Los gobiernos deben animar a las organizaciones de consumidores y a otros grupos interesados, incluidas las medidas de capacitación, a que pongan en práctica programas de educación e información, particularmente en el respecto de los grupos consumidores de bajos ingresos de las zonas rurales y urbanas.

tion and quality of water for drinking. Due regard should be paid to the choice of appropriate levels of drinking water quality and technology, the need for education programmes and the importance of community participation.

41. *Pharmaceuticals.* Governments should develop or maintain adequate standards, provisions and appropriate regulatory systems for ensuring the quality and appropriate use of pharmaceuticals through integrated national drug policies which could address *inter alia* procurement, distribution, production, licensing arrangements, registration systems and the availability of reliable information on pharmaceuticals. In so doing, Governments should take special account of the work and recommendations of the World Health Organization on pharmaceuticals. For relevant products, the use of that organization's Certification Scheme on the Quality of Pharmaceutical Products Moving in International Commerce and other international information systems on pharmaceuticals should be encouraged. Measures should also be taken, as appropriate, to promote the use of international non-proprietary names (INNs) for drugs, drawing on the work done by the World Health Organization.

42. In addition to the priority areas indicated above, Governments should adopt appropriate measures in other areas, such as pesticides and chemicals, in regard, where relevant, to their use, production and storage, taking into account such relevant health and environmental information as Governments may require producers to provide and include in the labelling of products.

IV. INTERNATIONAL CO-OPERATION

43. Governments should, especially in a regional or subregional context:
 - (a) Develop, review, maintain or strengthen, as appropriate, mechanisms for the exchange of information on national policies and measures in the field of consumer protection;
 - (b) Co-operate or encourage co-operation in the implementation of consumer protection policies to achieve greater results within existing resources. Examples of such co-operation could be collaboration in the setting up or joint use of testing facilities, common testing procedures, exchange of consumer information and education programmes, joint training programmes and joint elaboration of regulations.

35. El comercio, cuando proceda, debe comprender programas objetivos y permanentes de educación e información del consumidor, o participar en ellos.

36. Teniendo en cuenta la necesidad de llegar a los consumidores rurales y a los consumidores analfabetos, los gobiernos deberían, cuando proceda, formular o actualizar la formulación de programas de información del consumidor destinados a los medios de comunicación de masas.

37. Los gobiernos deben organizar o apoyar la organización de programas de formación para educadores, profesionales de los medios de comunicación de masas y consumidores del consumidor, que les permitan participar en la ejecución de programas de información e educación del consumidor.

G. Medidas relativas a otros aspectos

38. Al promover los intereses del consumidor, particularmente en los países en desarrollo, los gobiernos deberían, cuando proceda, dar prioridad a las ciencias de interés esencial para la salud del consumidor, como los alimentos, el agua y los productos farmacéuticos. Debería adoptarse o mantenerse políticas para lograr el control de calidad de los productos, métodos de distribución adecuados y seguros, sistemas internacionales normalizados de resultado e información, así como programas de educación e investigación en estas esferas. Debería formularse directrices relativas respecto de esferas concretas en el contexto de las disposiciones del presente documento.

39. *Alimentos.* Al formular políticas y planes nacionales relativas a los alimentos, los gobiernos deben tener en cuenta la necesidad de seguridad alimentaria que tienen todos los consumidores y apoyar y, en la medida de lo posible, adoptar las normas del Código Alimentario de la Organización de las Naciones Unidas para la Agricultura y la Alimentación y la Organización Mundial de la Salud o, en su defecto, otras normas alimentarias internacionales de aceptación general. Los gobiernos deben mantener, formular o mejorar las medidas de seguridad alimentarias, incluidos, entre otras cosas, los criterios de seguridad, las normas alimentarias y los requisitos de etiquetado.

(c) Co-operate to improve the conditions under which essential goods are offered to consumers, giving due regard to both price and quality. Such co-operation could include joint procurement of essential goods, exchange of information on different procurement possibilities and agreements on regional product specifications.

44. Governments should develop or strengthen information links regarding products which have been banned, withdrawn or severely restricted in order to enable other importing countries to protect themselves adequately against the harmful effects of such products.

40. *Agua.* En el marco de los objetivos y propósitos enunciados para el Decenio Internacional del Agua Potable y del Saneamiento Ambiental, los gobiernos deben formular, mantener, o fortalecer políticas nacionales para mejorar el abastecimiento, la distribución y la calidad del agua potable. Debe prestarse la debida atención a la elección de los niveles apropiados de servicios, calidad y tecnología, la necesidad de contar con programas de educación y la importancia de la participación de la comunidad.

41. *Productos farmacéuticos.* Los gobiernos deben elaborar o mantener normas y disposiciones adecuadas y sistemas de reglamentación apropiados para asegurar la calidad y el uso adecuado de los productos farmacéuticos mediante políticas nacionales integradas en materia de medicamentos que pueden considerar, entre otras cosas, la adquisición, la distribución, la producción, los mecanismos de control de licencias, los sistemas de inscripción y la disponibilidad de información fidedigna sobre productos farmacéuticos. Al hacerlo, los gobiernos deben tener especialmente en cuenta la labor y las recomendaciones de la Organización Mundial de la Salud en materia de productos farmacéuticos. Para determinados productos, debe alcanzarse el uso del Sistema de la Organización Mundial de la Salud de certificación sobre la calidad de productos farmacéuticos que son objeto de comercio internacional y de otros sistemas internacionales de información sobre productos farmacéuticos. Se debe adoptar también, según proceda, medidas para fomentar el uso de los medicamentos con sus denominaciones comunes internacionales, aprovechando la labor realizada por la Organización Mundial de la Salud.

42. Además de las esferas prioritarias indicadas supra, los gobiernos deben adoptar las medidas que proceda en otras esferas, como la de los plaguicidas y las sustancias químicas, con respecto, cuando proceda, a su uso, producción y almacenamiento, habida cuenta de la información pertinente en materia de salud y medio ambiente que los gobiernos deben proporcionar a los fabricantes e incluir en el rotulado de los productos.

45. Governments should work to ensure that the quality of products, and information relating to such products, does not vary from country to country in a way that would have detrimental effects on consumers.

46. Governments should work to ensure that policies and measures for consumer protection are implemented with due regard to their not becoming barriers to international trade, and that they are consistent with international trade obligations.

IV. COOPERACION INTERNACIONAL

43. Los gobiernos deben cooperar, especialmente en un contexto regional o subregional, de:

a) Establecer, examinar, mantener o fortalecer, según proceda, los mecanismos para el intercambio de información relativa a políticas y medidas nacionales en la esfera de la protección del consumidor;

b) Cooperar o alentar la cooperación en la aplicación de las políticas de protección del consumidor para conseguir mejores resultados en el marco de los recursos existentes. Como ejemplos de ese tipo de cooperación podrían citarse la colaboración en el establecimiento o utilización conjunta de instituciones de ensayo, procedimientos comunes de ensayo, intercambio de información de interés para el consumidor y de programas de educación, programas conjuntos de capacitación y preparación conjunta de reglamentaciones;

c) Cooperar para mejorar las condiciones en que los productos esenciales se ofrecen a los consumidores, prestando la debida atención a los precios y a la calidad. Entre las formas que podría revestir esa cooperación figuran la adquisición conjunta de productos esenciales, el intercambio de información sobre las distintas posibilidades de adquisición y la adopción de acuerdos sobre especificaciones regionales para los productos.

44. Los gobiernos deben desarrollar o fortalecer los vínculos de información en relación con los productos que han sido prohibidos, retirados o sometidos a restricciones rigurosas, a fin de que los países importadores puedan tomar precauciones adecuadas contra los efectos nocivos de esos productos.

45. Los gobiernos deben velar por que la calidad de los productos y la información relativa a los productos no varíe de un país a otro de manera que pueda tener efectos perjudiciales para los consumidores.

46. Los gobiernos deben esforzarse en que las políticas y las medidas relativas a la protección del consumidor se apliquen de manera que no se conviertan en barreras para el comercio internacional y sean compatibles con las obligaciones del comercio internacional.

1990/85. Consumer protection

The Economic and Social Council,

Recalling General Assembly resolution 39/248 of 9 April 1985, in which the Assembly adopted guidelines for consumer protection,

Recalling also Economic and Social Council resolution 1988/61 of 27 July 1988, in which Governments were urged to implement guidelines for consumer protection and the Secretary-General was requested to provide assistance to Governments in that regard,

Noting with satisfaction the recommendations of the United Nations Regional Seminar on Consumer Protection for Asia and the Pacific, held at the headquarters of the Economic and Social Commission for Asia and the Pacific from 19 to 22 June 1990, 51/

Aware that the need for assistance in the area of consumer protection, particularly in developing countries, still remains great,

Recognizing the role of non-governmental organizations in promoting the implementation of the guidelines and the growing awareness by the private sector of the benefits of consumer policies,

Noting the efforts currently being undertaken within the United Nations system in promoting the implementation of the guidelines on consumer protection,

1. Commends the Secretary-General for his report on consumer protection, prepared pursuant to Council resolution 1988/61; 54/
2. Urges all Governments to continue their efforts to implement the guidelines for consumer protection and establish appropriate means to co-ordinate policies and programmes for consumer protection;
3. Encourages Governments to collaborate, as appropriate, in joint efforts for the protection of consumers, including the development of product safety standards and testing procedures, and in the exchange of information and advisory services;
4. Requests the Secretary-General, in co-operation with the development funds and programmes of the United Nations, the regional commissions and other relevant bodies and agencies of the United Nations system, to continue to provide assistance to Governments, in particular those of developing countries and other interested countries, in implementing the guidelines on consumer protection, and to develop a programme of action for the next five years on the implementation of the guidelines; such a programme, to be reviewed on the occasion of the tenth anniversary of the adoption of the guidelines, should be implemented subject to the availability of extrabudgetary resources and should involve specific activities such as the convening of regional seminars and follow-up activities, a survey of consumer protection measures undertaken within the framework of the guidelines for consumer protection, the provision of advisory services to Governments, in particular those of developing countries, at their request, and the elaboration of specific guidelines in areas of emerging concern;
5. Also requests the Secretary-General to report to the Economic and Social Council at its second regular session of 1992 on the implementation of the present resolution.

COMITE DE IOCU PARA PRUEBAS DE CALIDAD
EN AMERICA LATINA Y EL CARIBE

ANNEX III

Considerando: - Que las pruebas comparativas de calidad son un instrumento indispensable para el desarrollo económico, el mejoramiento de la calidad de vida y la protección de los consumidores.

La necesidad de establecer canales de colaboración y coordinación entre las organizaciones de consumidores de la Región que trabajan en esta área, así como entre estas y las organizaciones de consumidores de otros continentes.

Los abajo firmantes coinciden en la necesidad de constituir un Comité de IOCU para pruebas de calidad en América Latina y el Caribe

Los objetivos principales de este Comité serán:

- Fomentar el desarrollo de las pruebas de calidad en América Latina y el Caribe, atendiendo principalmente la necesidad de fortalecer el trabajo de las organizaciones privadas de consumidores.

- Propiciar la colaboración de organizaciones de consumidores europeas para la realización y/o reproducción de pruebas de calidad de productos que sean de interés para países de América Latina y el Caribe.

- Propiciar que miembros de organizaciones de consumidores de la Región puedan realizar pasantías en laboratorios y dependencias técnicas de organizaciones o entidades del continente o fuera del mismo.

- Estimular el intercambio de experiencias e información entre las organizaciones de la Región mediante publicaciones periódicas y otras actividades que se consideren oportunas.

LIST OF PARTICIPANTS

- Mr. A. Rubén Iaconis Technical Co-ordinator
 Acción del Consumidor (ADELCO)
 Av. Corrientes 1132, piso 4 (1043)
 Buenos Aires, Argentina
 Tel: (541) 35 1406/35 4876
 Fax: (541) 812 1758
- Dr. L. Palacios Sarabia Acción Internacional para la Salud
 Comité de Defensa del Consumidor
 (AIS-CODEDCO)
 Edificio Mcal. de Ayacucho
 Piso 7, Oficina 705
 Calle Loayza 233,
 Casilla 568
 La Paz, Bolivia
 Tel: (5912) 371 596
- Mr. P. R. Bühler Director of Research
 Instituto Brasileiro de Defesa del
 Consumidor (IDEC)
 R. Turiassu, Foz
 Sao Paulo SP, Brazil
 Tel: (5511) 628 111
 Fax: (5511) 629 844
- Ms. E. Rahal Chief, Research and Development
 International Organization of
 Consumers Unions (IOCU)
 Oficina Regional para América Latina y
 el Caribe
 Los Leones 2293
 Providencia
 Casilla 9635
 Santiago, Chile
 Tel: (562) 223 4763/223 4172
 Fax: (562) 223 4638
- Mr. J. A. Trimboli Co-ordinator of Consumer Education
 Programmes
 I.O.C.U. (as above)
- Ms. M. Puerto García Chief, Department of Supervision
 Servicio Nacional del Consumidor
 (SERNAC)
 Teatinos 120, piso 14
 Santiago, Chile
 Tel: (562) 671 6107/672 5184
 Fax: (562) 671 8095

- Ms. M. T. Solís Zamora Director of Juridical Affairs
 Ministerio de Economía
 Departamento Legal
 Apdo 10216
 San José, Costa Rica
 Tel: (506) 239 807
 Fax: (506) 222 305
- Mr. G. López Gómez Director General
 Dirección General de Normas y
 Sistemas de Calidad (DIGENOR)
 Edificio Gubernamental (Huacal)
 Planta No. 11
 Secretaria de Estado de Industria y
 Comercio
 Santo Domingo, Dominican Republic
 Tel: (809) 686 2205/685 5171 ext. 324
- Mr. F. J. Santana
 Solano Co-ordinator of Evaluation Commission
 Dirección General de Normas y Sistemas
 de Calidad (DIGENOR) as above
- Mr. J. M. Jalil Hass President
 Fundación Ecuatoriana de
 Protección al Consumidor (FUNDECON)
 Ave. República de El Salvador 525
 Edificio Rosania
 Planta Baja
 P.O. Box 17-12-137
 Quito, Ecuador
 Tel: (5932) 442 388/437 795
 Fax: (5932) 442 380
- Ms. M. McCormick de
 Osorio Deputy Director General of
 Production and Consumer Affairs
 Ministerio de Economía
 Edificio Rivera López
 Apto Postal 1935
 Tegucigalpa, Honduras
 Tel: (504) 227 048/227 687
 Fax: (504) 228 974
- Ms. M. del Rocio
 Alvarez Medina Chief
 Biological and Chemical
 Research Department
 Instituto Nacional del Consumidor
 Boulevard Adolfo López Mateos 2777
 Col. Progreso Tizapan
 Mexico D.F., Mexico
 Tel: (525) 683 6463/559 7377 ext. 242
 Fax: (525) 575 5620

Mr. M. U. Veliz
Granados

Chief, Division of Norms
Instituto de Investigación Tecnológica
Industrial y de Normas Técnicas
(ITINEC)
Esq. Dv Guardia Civil y Dv. Canada
San Boria
Lima 41, Peru
Tel: (5114) 727 729
Fax: (5114) 727 729

Mr. R. China Rivera

Laboratory Director
Servicio de Aduanas, E.U.A.
Calle Puntilla No. 1, Oficina 125
San Juan, Puerto Rico 00901
Tel: (809) 729 6967/729 6968
Fax: (809) 729 6650

Ms. L. S. López
Vicente

Executive Director
Better Business Bureau
P.O. Box 363488
San Juan, Puerto Rico
Tel: (809) 756 5400

Mr. S. Luna

President
Luna Paints Corporation
P.O. Box 364051
San Juan, Puerto Rico 00936-4051
Tel: (809) 786 8435/786 6497
Fax: (809) 785 0995

Mr. W. Torres

Deputy Secretary of Commerce
Departamento de Comercio
Estado Libre Asociado de Puerto Rico
Apdo S.4275
San Juan, Puerto Rico 00905
Tel: (809) 724 0525/621 3290
Fax: (809) 722 8477

Mr. M. Vélez Vélez

Executive
Departamento de Asuntos del Consumidor
Apdo 41059
Minillas Station
Santurce, Puerto Rico 00940-1059
Tel: (809) 721 2980

Ms. I. Kuilan de Burgos

Secretary of Education
Departamento de Asuntos del Consumidor
As above

Dr. S. M. Spivak

**Professor of Textile Engineering
Textiles and Consumer Economics
2100 Marie Mount Hall
University of Maryland
College Park
Maryland 20742-7531, U.S.A.
Tel: (301) 405 6651/405 6657
Fax: (301) 314 9601**

Dr. L. Velilla

**Principal
Media Source International
1901 Columbia Road N.W., Suite 504
Washington D.C. 20009, U.S.A.
Tel: (202) 332 4882**

Mr. L. E. Rojas

**Industrial Development Officer
United Nations Industrial Development
Organization (UNIDO)
Vienna International Centre
P.O. Box 300
A-1400 Vienna, Austria
Tel: (431) 21131
Fax: (431) 237404**