



**VOLUNTARY PEER REVIEW
ON CONSUMER PROTECTION LAW AND POLICY
PERU**





**VOLUNTARY PEER REVIEW
ON CONSUMER PROTECTION LAW AND POLICY
PERU**



© 2020, United Nations

This work is available through open access by complying with the Creative Commons licence created for intergovernmental organizations, available at <http://creativecommons.org/licenses/by/3.0/igo/>.

The findings, interpretations and conclusions expressed in this work are those of the authors and do not necessarily reflect the views of the United Nations, its staff or Member States.

The designations employed and the presentation of material on any map in this work do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Photocopies and reproductions of excerpts are allowed with proper credits.

United Nations publication issued by the United Nations Conference on Trade and Development.

UNCTAD/DITC/CPLP/2020/1

eISBN: 978-92-1-005227-6

NOTE

UNCTAD serves as the focal point within the United Nations Secretariat for all matters related to consumer protection policy. UNCTAD promotes the United Nations guidelines for consumer protection and encourages interested Member States to create awareness of the many ways in which Member States, businesses and civil society can promote consumer protection in the provision of public and private goods and services.

UNCTAD seeks to further the understanding of the contribution of consumer protection law and policy to development and to create an enabling environment for the efficient functioning of markets. The work of UNCTAD is carried out through intergovernmental deliberations, capacity-building activities, policy advice, and research and analysis on the interface between consumer protection, competition and development.

Voluntary peer reviews of consumer protection law and policy conducted by UNCTAD are mandated by the General Assembly in its resolution 70/186 of 22 December 2015 adopting the United Nations guidelines for consumer protection. The guidelines seek, among other things, to assist countries in achieving or maintaining adequate protection for their population as consumers.

ACKNOWLEDGEMENTS

Voluntary peer reviews on consumer protection law and policy are conducted by UNCTAD at the annual meetings of the Intergovernmental Group of Experts on Consumer Protection Law and Policy or at the United Nations Conferences to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.

This report was written by Arnau Izaguerri, Economic Affairs Officer, and Ana Cipriano, consumer protection expert for consumer product safety issues, under the overall guidance of Teresa Moreira, Head of the Competition and Consumer Protection Policies Branch.

The report benefited from insightful comments by Tansuğ Ok. Omar Zevallo revised the text and Malagi Studer was responsible for the cover. UNCTAD would like to acknowledge the leadership of Ivo Gagliuffi, President of the Governing Board of the National Institute for the Defence of Competition and Protection of Intellectual Property of Peru (INDECOPI), and the support of Wendy Ledesma, Director of the National Consumer Protection Authority, and her team, whose contributions to this report were pivotal. It would also like to thank all individuals and representatives of institutions in the public, private and associative sectors who were interviewed for the report. Funding for the report was provided by the Government of the Republic of Peru.

CONTENTS

NOTE	III
ACKNOWLEDGEMENTS	IV
I. INTRODUCTION	1
II. POLITICAL, ECONOMIC AND SOCIAL CONTEXT	3
III. LEGISLATIVE FRAMEWORK.....	6
A. The Consumer Code.....	6
1. Principles and objectives.....	6
2. Substantive law.....	7
3. Liability and sanctions.....	10
4. Collective action on behalf of consumers.....	10
5. National Integrated Consumer Protection System.....	11
B. Other relevant legislation.....	13
Protection of consumer data.....	14
C. Summary	15
IV. PUBLIC POLICY FRAMEWORK.....	16
A. National Consumer Protection Policy.....	16
B. National Consumer Protection Plan.....	16
C. Electronic commerce.....	18
D. Summary	19
V. INSTITUTIONAL FRAMEWORK.....	20
A. National Institute for the Defence of Competition and Protection of Intellectual Property (INDECOPI).....	20
1. Participation in the legislative process.....	21
2. Education, guidance and dissemination of information.....	21
3. Protection of consumer health and safety.....	24
4. Protection of consumers' economic interests, dispute resolution and redress.....	24
5. International cooperation.....	31
B. Other public institutions.....	32
C. Summary	34

VI. PARTICIPATION OF THE ASSOCIATIVE AND PRIVATE SECTORS.....	36
A. Consumer associations.....	36
1. Business model viability.....	37
2. Professionalization of consumer associations.....	38
3. Dialogue with the National Institute for the Defence of Competition and Protection of Intellectual Property (INDECOPI).....	39
B. Suppliers.....	39
1. Law enforcement.....	40
2. Good business practices.....	40
3. Dispute prevention and settlement.....	41
4. Self-regulation.....	43
5. Voluntary compliance programmes.....	43
C. Summary.....	44
VII. CONCLUSIONS AND RECOMMENDATIONS.....	45
A. Legislative framework.....	45
B. Public policy framework.....	46
C. Institutional framework.....	47
D. Participation of the associative and private sectors.....	49
BIBLIOGRAPHY.....	56
ANNEX	
INSTITUTIONS INTERVIEWED FOR THE PREPARATION OF THE REPORT.....	59

预览已结束，完整报告链接和二维码

<https://www.yunbaogao.cn/report/index/report?re>