

Empowering consumers: improving access to redress and dispute resolution

1. Introduction

In today's complex marketplace, the presence of a robust consumer protection framework is pivotal for safeguarding individual rights, ensuring fair business practices, and fostering trust. Within this comprehensive framework, the incorporation of two key elements, namely mechanisms for dispute resolution and avenues for redress, is essential for ensuring fairness and accountability in consumer-business interactions. These two components empower consumers with the essential tools to address complaints, promoting trust and confidence in the marketplace, and ultimately enhancing consumer well-being and advancing economic equity.

Dispute resolution and redress mechanisms within the realm of consumer protection are underpinned by a set of fundamental principles. Their central purpose is to protect the rights of consumers by offering recourse for individuals to seek justice when their rights are infringed, while also holding businesses accountable for their conduct/services. These mechanisms play an essential role in promoting equitable and competitive market conditions, nurturing trust among consumers and facilitating the swift resolution of disputes to avoid prolonged legal proceedings.

While both concepts are closely related and play crucial roles in consumer protection, they vary in their purposes and scopes. Redress mechanisms are more targeted and aim to provide remedies to individual consumers who have encountered issues. On the other hand, dispute resolution mechanisms have a broader scope, as they seek to settle conflicts or disputes between consumers and businesses, often involving more extensive processes. Figure 1 clarifies the two concepts and their respective dimensions.

Figure 1. Redress mechanisms and dispute resolution mechanisms

	Redress mechanisms	Dispute resolution mechanisms
Purpose	Focus on providing compensation or remedies to individuals	Aim to settle conflicts or disagreements between consumers and businesses
Nature	Usually reserved for the judiciary	Usually out-of-court and encompass conciliation, mediation and arbitration
Outcome	Resolves the specific consumer complaint, providing compensation or solutions	Settles broader disputes or conflicts through avenues like negotiations or mediation

Source: ESCWA compilation.

2. Legal framework

In line with the principles outlined in [General Assembly resolution 67/1](#) of the United Nations, which underscores equal access to justice for all, including vulnerable groups, and emphasizes the importance of raising awareness of legal rights, substantial progress has been made in shaping the legal framework for consumer protection. The United Nations has updated its [guidelines](#) for consumer protection, specifically in section V.F. The revised guidelines, spanning from 37 to 41, now comprehensively cover both dispute resolution and redress mechanisms, after having only mentioned redress in their previous version.¹

This evolution in the legal framework underscores the collaborative efforts required from United Nations agencies, regional institutions, and Governments. The collective goal is to foster a global environment where individuals, regardless of their vulnerabilities, can easily access fair, transparent and effective justice mechanisms. The emphasis extends beyond simple dispute resolution, embracing a broader perspective that recognizes consumers' right to access the legal system as an integral aspect of their rights.

In this context, the right to access dispute resolution and obtain redress aligns with the broader responsibility of government authorities, who play a pivotal role in receiving and responding to consumer complaints. These authorities not only enforce compliance with consumer protection laws but also act as facilitators of redress for consumers. Their collaborative endeavours with consumer protection enforcement agencies and sector-specific regulators are crucial elements in ensuring resilient markets that enhance consumer well-being and contribute to inclusive and sustainable development. This multifaceted approach to consumer protection within the legal framework is crucial for establishing an environment that prioritizes fairness, transparency and justice for all stakeholders.

3. Collaborative responsibilities: the role of Governments, businesses and consumers

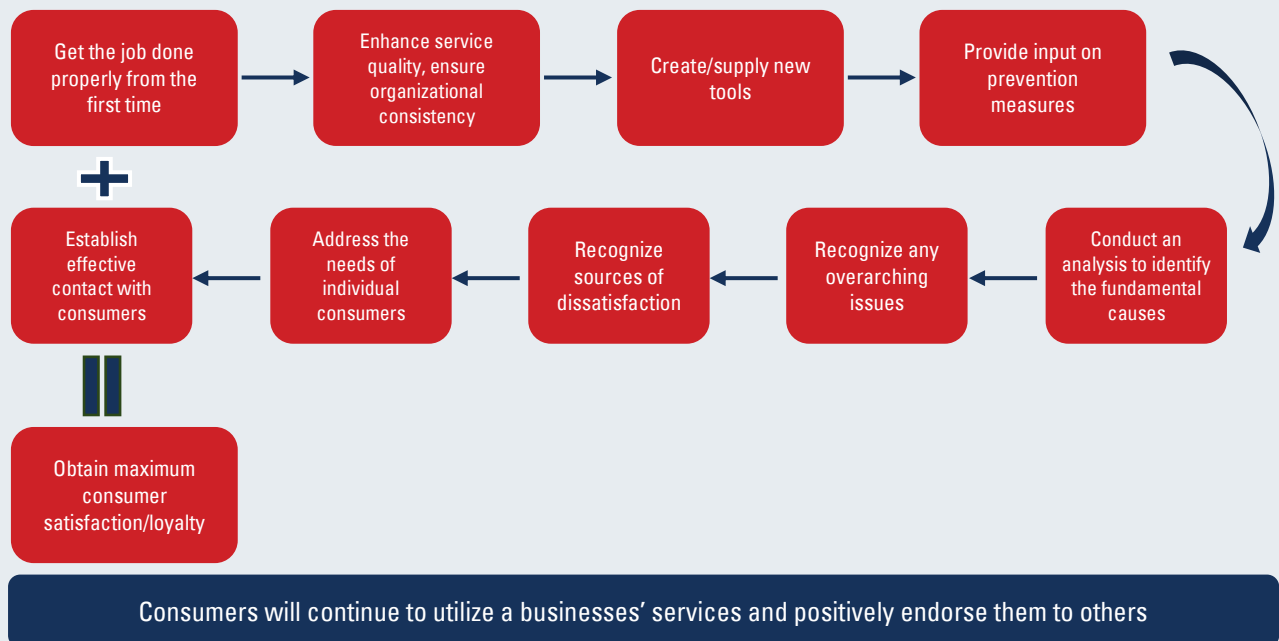
To address the inherent risks faced by consumers and optimize their welfare, the role of Governments should be intricately linked with the pivotal contributions of both consumers and businesses. Governments play a crucial role in establishing the regulatory foundation, businesses contribute through ethical conduct, and consumers claim their rights. Together, they actively contribute to the establishment of a consumer-centred marketplace, with a shared commitment to fostering fairness, transparency and the overall well-being of all parties involved.

Government's role: The Government holds a crucial responsibility in ensuring consumer protection within market economies. Its duties encompass establishing and enforcing robust competition and consumer protection laws that cover safety, misleading conduct, unconscionable conduct, and unfair contract terms. Effective enforcement of these laws is essential to protect consumers from unsafe products and financial losses. Governments should also possess the ability to promptly intervene when market participants abuse vulnerable consumers. Promoting standards and codes for improved information disclosure and access to unbiased advice falls within the Government's scope.

Businesses' role: Businesses are encouraged to embrace good business practices in managing consumer complaints and dispute resolutions. They are expected to showcase the implementation of effective competition and consumer protection policies and standards, supported by internal compliance systems. Businesses should make available complaints-handling mechanisms that provide consumers with expeditious, fair, transparent, inexpensive, accessible and effective dispute resolution. Establishing in-house complaint-handling systems and adhering to international standards is essential. Businesses should actively endorse and participate in industry-based external alternative dispute resolution schemes and customer satisfaction codes, where applicable. Recognizing the significance of market mechanisms, particularly in cross-border transactions, and subscribing to codes of conduct that enhance consumer information disclosure is also a valuable self-regulatory practice. Such measures lead to a well-functioning internal complaint-handling system which holds the potential to significantly enhance overall value for both businesses and customers. In fact, extensive international research over the years consistently shows a strong correlation between prompt and effective complaint resolution and increased customer satisfaction and loyalty, as depicted in figure 2.²

Consumers' role: Empowering consumers through information and education is the cornerstone of effective protection. Equipped with timely and precise information about available dispute resolution and redress avenues, consumers are more inclined to express dissatisfaction to suppliers, thereby exerting competitive pressure for overall system improvements. Access to responsive complaint-handling systems within both businesses and government agencies is vital for consumers to address concerns effectively. Special consideration is advised for marginalized consumer groups, such as women, to ensure their active involvement in markets. Consumers' active participation and informed decision-making significantly contribute to fostering fairness and competitiveness in the market.

Figure 2. Formula for maximizing consumer satisfaction



Source: Models for internal complaint systems and external consumer redress schemes in the Association of Southeast Asian Nations (ASEAN).

4. Avenues for consumer dispute resolution and redress

There exists a wide range of channels for consumers to access dispute resolution and obtain redress. The United Nations Conference on Trade and Development (UNCTAD) Manual on Consumer Protection³ has outlined them as follows: traditional judicial avenues such as courts, which provide a formal legal framework; collective redress mechanisms for the joint pursuit of complaints; public regulatory and enforcement actions, which utilize governmental authority to uphold consumer rights; ombudspersons serving as impartial intermediaries for fair dispute resolution; alternative dispute resolution methods that offer flexibility and consensual approaches; online dispute resolution tailored to the digital era; and the integration of robust business customer care and complaint functions, which establish a proactive mechanism for directly addressing consumer concerns within the commercial sphere.⁴

Consumer-friendly measures:

- ➔ Initiatives and policies to enhance consumer protection and experiences.
- ➔ Examples include legal aid, insurance, small claims tribunals, consumer education programmes, clear contracts, transparent pricing, product labeling standards, consumer helplines, right to cancel/return, privacy protection, and extended warranty options.

Ombudspersons:

- ➔ Provide an alternative to traditional judicial processes, emphasizing fairness, transparency and accessibility.
- ➔ Industry-specific, advisory and focused on informal processes through an independent official that investigates complaints and promotes accountability.

Alternative dispute resolution:

- Processes outside traditional court litigation for flexible, cost-effective and efficient dispute resolution.
- Methods include negotiation, mediation, arbitration and conciliation.
- Experts who are appointed as neutral third parties facilitate communication, find common ground or make binding decisions.
- Valuable in resolving consumer disputes and reducing the burden on court systems.

Online dispute resolution:

- Resolves conflicts, particularly cross-border conflicts, using digital platforms and the internet.
- Facilitates communication, negotiation and resolution in e-commerce and online transactions.
- Addresses challenges in the digital realm.
- Implemented by platforms like eBay and PayPal.

Collective redress:

- Empowers consumers through collective actions (e.g., class actions) against businesses.
- Effective in addressing widespread harm caused by deceptive or harmful practices.
- Embraced by countries like Chile, the United States of America, and the European Union.

Consumer associations:

- Authorized to sue on behalf of individuals or groups, consolidating claims efficiently.
- Play a pivotal role in addressing widespread consumer harm.
- Advocate for consumer rights, enhancing access to justice.

Public regulatory and enforcement action:

- Authority of regulatory bodies or enforcement agencies to take legal action against deceptive businesses.
- Secures consumer redress through judicial settlements.

Access to judicial redress:

- Ability of consumers to seek legal remedies through traditional court proceedings.
- Addresses information and bargaining power gaps.
- Ensures an accessible, efficient and responsive legal framework for consumer redress.

The above avenues collectively constitute a comprehensive array of mechanisms designed to empower consumers and safeguard their rights within the expansive legal framework of consumer protection. Such avenues can be represented visually through positioning redress and dispute mechanisms between the operational functions of businesses and Governments as they engage with customers, and the more formal enforcement of consumer laws through litigation in the courts. Figure 3 depicts the strategic placement of complaint systems and redress schemes within the broader context of consumer affairs.⁵

Box 1 describes the quality criteria identified by UNCTAD for effective consumer dispute resolution and redress mechanisms, which can guide policymakers in designing and evaluating their legal and policy frameworks.

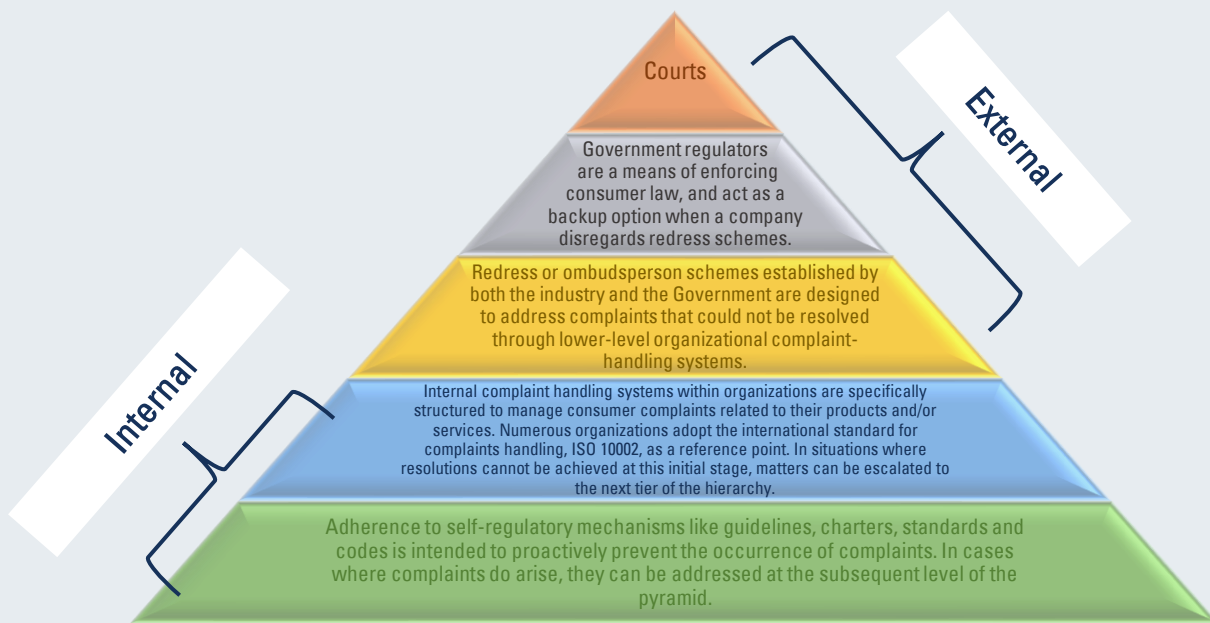
Box 1. Quality criteria identified by UNCTAD for effective consumer dispute resolution and redress mechanisms

In the light of the guidelines for consumer protection, the UNCTAD Manual on Consumer Protection and inputs received from member States, quality criteria against which consumer dispute resolution and redress may be evaluated and regulated may be delineated, as follows:

- (a) **Accessibility:** Dispute resolution and redress should be of easy access and inexpensive, or even free, for consumers, in accordance with the economic value of the claim in question, and should waive the requirement for legal representation and allow consumer groups to represent consumer interests;
- (b) **Awareness:** Governments, businesses and consumer groups should strive to increase consumer awareness of dispute resolution and redress through education and information programmes;
- (c) **Expertise, independence and impartiality of neutral third parties:** Dispute resolution and redress entities, whether public or private, should be experts, independent and held to a high standard of ethical conduct;
- (d) **Transparency:** Procedures should be transparent, including rules of procedure and reasoned decisions, so that parties, policymakers, enforcers and other interested stakeholders can assess the fundamental fairness of dispute resolution and redress;
- (e) **Effectiveness, expeditiousness and enforceability:** These criteria should include online accessibility, prompt notification to the parties by the dispute resolution and redress entity, outcome within a short period, such as 90 days, and bestowal with direct enforceability;
- (f) **Fairness:** There should be a reasonable possibility for parties to express their views, an opportunity to withdraw and due process;
- (g) **Voluntariness:** Solutions should only be binding if the parties are informed of this fact in advance and they consent in full knowledge thereto. In some instances, redress systems should be compulsory for businesses, at least in some areas such as key utility services and banking services, which may prove beneficial for enhancing access to dispute resolution and redress;
- (h) **Legality:** The law should be strictly respected in cases of imposed solutions, there should be rules on the conflict of law and jurisdiction, referral to judicial bodies for clarification of points of law should be allowed, and there should be an obligation to respect consumer rights at all times;
- (i) **Coverage:** Dispute resolution and redress systems should be able to cover all sectors in a systematic way to increase awareness, certainty and understanding;
- (j) **Special consideration for the needs of vulnerable and disadvantaged consumers:** Such criteria should include special education and information programmes and tailored advisory services;
- (k) **Accountability:** Regulators and enforcers should have access to aggregated data on dispute resolution and redress, especially from alternative dispute resolution mechanisms, to ensure evidence-based policymaking and adequate market surveillance.

Source: UNCTAD, [Dispute resolution and redress: Note by the UNCTAD secretariat](#), 2018.

Figure 3. Consumer dispute resolution pyramid: navigating internal systems and external solutions



Source: Models for internal complaint systems and external consumer redress schemes in ASEAN.

Box 2. Empowering consumers: the vital role of redress and dispute resolution in financial inclusion

Financial inclusion necessitates a robust consumer protection regime that not only builds trust in financial services but also addresses the intricate psychology behind financial exclusion among vulnerable groups. Establishing an efficient legal and regulatory framework for consumer protection is integral, as it significantly influences the development of the financial sector and, consequently, financial inclusion.

Prominent psychological barriers to financial inclusion:

- 1. Trust issues:** The fear and lack of trust in financial institutions may arise from historical distrust, negative experiences, or the perception of complex financial systems. Robust redress and dispute resolution mechanisms are essential to address these concerns, providing individuals with a safety net and an assurance that their issues will be resolved in a satisfactory manner.
- 2. Financial literacy challenges:** Limited financial literacy is a significant barrier that can be addressed through effective redress and dispute resolution mechanisms. These mechanisms not only provide avenues for complaint resolution but also serve as educational tools, helping individuals understand complex financial products and services, and empowering them to navigate the formal financial system with confidence.
- 3. Institutional barriers:** Institutional barriers, such as stringent documentation requirements or discriminatory practices, can discourage vulnerable groups from seeking financial services. Redress and dispute resolution mechanisms play a crucial role in breaking down these barriers, advocating for simplified documentation procedures within financial institutions, and offering a fair process for addressing grievances and ensuring equitable treatment without discrimination.

The journey towards financial inclusion demands a comprehensive approach that acknowledges and addresses the aforementioned barriers. By dismantling institutional barriers and assuring fair treatment, redress and dispute resolution actively contribute to cultivating a more inclusive financial environment. In this essence, the integration of a well-functioning alternative dispute resolution system is integral to enhance consumer confidence and provide reassurance that avenues for redress and dispute resolution are readily available. This holistic approach promotes greater trust and engagement in formal financial systems, ultimately advancing the goal of widespread financial inclusion through consumer empowerment.

5. International context

There are various ongoing international initiatives to promote the empowerment of consumers, particularly in the realms of redress and dispute resolution systems. One notable example is the advocacy by UNCTAD for the adoption of the United Nations Guidelines for Consumer Protection (UNGCP),⁶ which comprehensively cover both dimensions. UNCTAD has also established the Intergovernmental Group of Experts on Consumer Protection Law and Policy, entrusted with monitoring compliance with the guidelines. This group serves as a platform for discussions, conducts research and studies, provides technical support, facilitates voluntary peer evaluations, and periodically updates the UNGCP, reflecting a comprehensive approach to enhancing consumer protection on a global scale.

Similarly, the European Commission assumes a crucial role in upholding consumer rights by engaging in a wide range of activities. These encompass routine consumer market scoreboards, continuous market monitoring, surveys involving both consumers and retailers, in-depth market studies, behavioural research, and the meticulous collection of consumer complaint statistics.⁷ These extensive initiatives form the basis of the Commission's consumer policy, which inherently incorporates a focus on the development and consideration of mechanisms for redress and dispute resolution.

Other organizations, including regional United Nations agencies, also contribute collectively to the international dialogue on consumer protection, emphasizing the importance of collaboration, information-sharing, and the development of best practices to strengthen consumer rights globally. Their efforts underscore a shared commitment to fostering a secure and equitable environment for consumers across borders.

Box 3. Insights from the European Union on dispute resolution

The European Union (EU) prioritizes consumer protection through dedicated policies and rules that empower European consumers when purchasing goods and services within the EU. Its commitment to safeguarding consumer rights is exemplified in its New Consumer Agenda,⁸ which serves as a comprehensive framework guiding consumer policy across EU member states for the period between 2020 and 2025. This strategic document aims to safeguard consumers while facilitating their engagement in the single market, covering five key aspects: green transition, digital transformation, global consumer protection, specific needs of certain consumer groups, and redress and enforcement of consumer rights through dispute resolution.

The EU consumer protection website clarifies, under the consumer dispute resolution section, that in the event of problems during cross-border transactions, the EU offers a range of dispute resolution mechanisms, including:

1. Direct resolution:

- Consumers can directly engage with the trader or seek assistance from a consumer organization to resolve disputes amicably.

2. Alternative dispute resolution:

- Alternative dispute resolution options, including mediation and ombudsperson services, provide consumers with alternative avenues for resolving disputes without resorting to formal court procedures.

3. EU online dispute resolution website:

- The EU online dispute resolution platform offers an accessible online tool for consumers to address disputes arising from online purchases.

4. European small claims procedure and payment order:

- Specialized procedures streamline the resolution of smaller cross-border disputes, ensuring a more efficient process.

5. Formal court procedure:

- Consumers have the option to enter into a formal court procedure if other methods prove ineffective in resolving the dispute.

EU initiatives for collective redress

Under the New Consumer Agenda, the EU signed a directive in 2020 on representative actions, granting EU consumers the right to seek effective judicial protection collectively when traders violate EU laws. The European Council's adoption of a position on collective redress further reinforces the commitment to address harm caused by violations, and showcases an effective regional method for collective consumer action.

Useful resources:

- [The EU consumer protection website](#) is a dedicated website that provides detailed information on consumer protection topics and the New Consumer Agenda.
- [The European Consumer Centres Network \(ECC Net\)](#) educates consumers on their rights, aids in resolving disputes with sellers in other countries, and guides consumers on further contacts, if needed. This resource empowers consumers, fosters fair cross-border interactions, and ensures accessible assistance for informed decision-making.
- [The Online Dispute Resolution \(ODR\) platform](#) enables consumers to initiate and resolve disputes arising from online purchases within the EU. This platform serves as a centralized and accessible tool for consumers and businesses to engage in the resolution process for cross-border transactions.

Source: European Council, [Consumer Protection](#), 2023.

^a European Commission, [New Consumer Agenda – Strengthening consumer resilience for sustainable recovery](#), 2020.

6. Regional context

The journey of the Arab region in consumer protection has witnessed a significant shift towards resilient legislative frameworks, driven by economic liberalization and evolving market dynamics. Despite efforts, the latest ESCWA assessment of consumer protection legislations under its recent Arab Business Legislative Frameworks (ABLF) report shows that limitations persist in accessing regional or international accountability modes, constraining consumers to national redress processes.

Box 4. The Arab Business Legislative Frameworks: insights on consumer protection

The inception of the Arab Business Legislative Frameworks (ABLF) by ESCWA in 2021 marked a significant milestone in shaping business legislation across the Arab region. ABLF conducted a comprehensive examination of business legislation in ESCWA member States, and focused on critical themes, including competition, anti-corruption, foreign direct investment, and consumer protection. The inaugural ABLF report provided valuable insights, prompting a second iteration that evaluates legislative changes until August 2023. This updated report introduces novel assessment criteria, offering a comparative analysis with the previous ABLF scores and revealing significant shifts in the business legislative landscape.

The ABLF consumer protection law assessment is tailored to capture fundamental components that are necessary to protect consumers in Arab countries, such as physical safety regulations, measures enabling consumers to obtain redress, protection of consumers' economic interests, promotion of sustainable consumption, and e-commerce consumer protection.

In recent years, the Arab region has made noteworthy advancements in strengthening consumer protection legislative frameworks. While the overall regional score remains "moderate", critical areas such as measures for consumer redress, protection of economic interests, and regulations ensuring physical safety, have shown significant improvement. This progress demonstrates a commitment to aligning regional standards more closely with international

benchmarks, particularly highlighted by the “strong” classification achieved for protecting consumers’ economic interests, closely resembling international guidelines and model law templates.

However, the results reveal that challenges persist in the realm of consumer protection in the Arab region. Limited resources, capacity constraints, and institutional framework gaps often hinder the effectiveness of consumer protection laws. Strengthening the independence of oversight institutions is crucial for maintaining a resilient business environment. Investing in the education of regulators and law enforcement officials, who are frontline enforcers of crucial laws, becomes imperative.

Source: ESCWA, Arab Business Legislative Frameworks 2023 - Consumer Protection Chapter (forthcoming).

According to the latest assessments highlighted in the ABLF report, the measures enabling consumers to obtain redress in the Gulf Cooperation Council (GCC) subregion, comprising Bahrain, Kuwait, Qatar, Oman, Saudi Arabia and the United Arab Emirates, are classified as “developed” compared to international norms. Countries like the United Arab Emirates stand out for their robust commitment, featuring strong redress provisions. Bahrain, Kuwait and Qatar exhibit very strong measures that align well with international standards, while Oman is classified as “moderate” with reasonable provisions in place. It is worth noting, however, that Saudi Arabia is yet to establish an approved Consumer Protection Law.

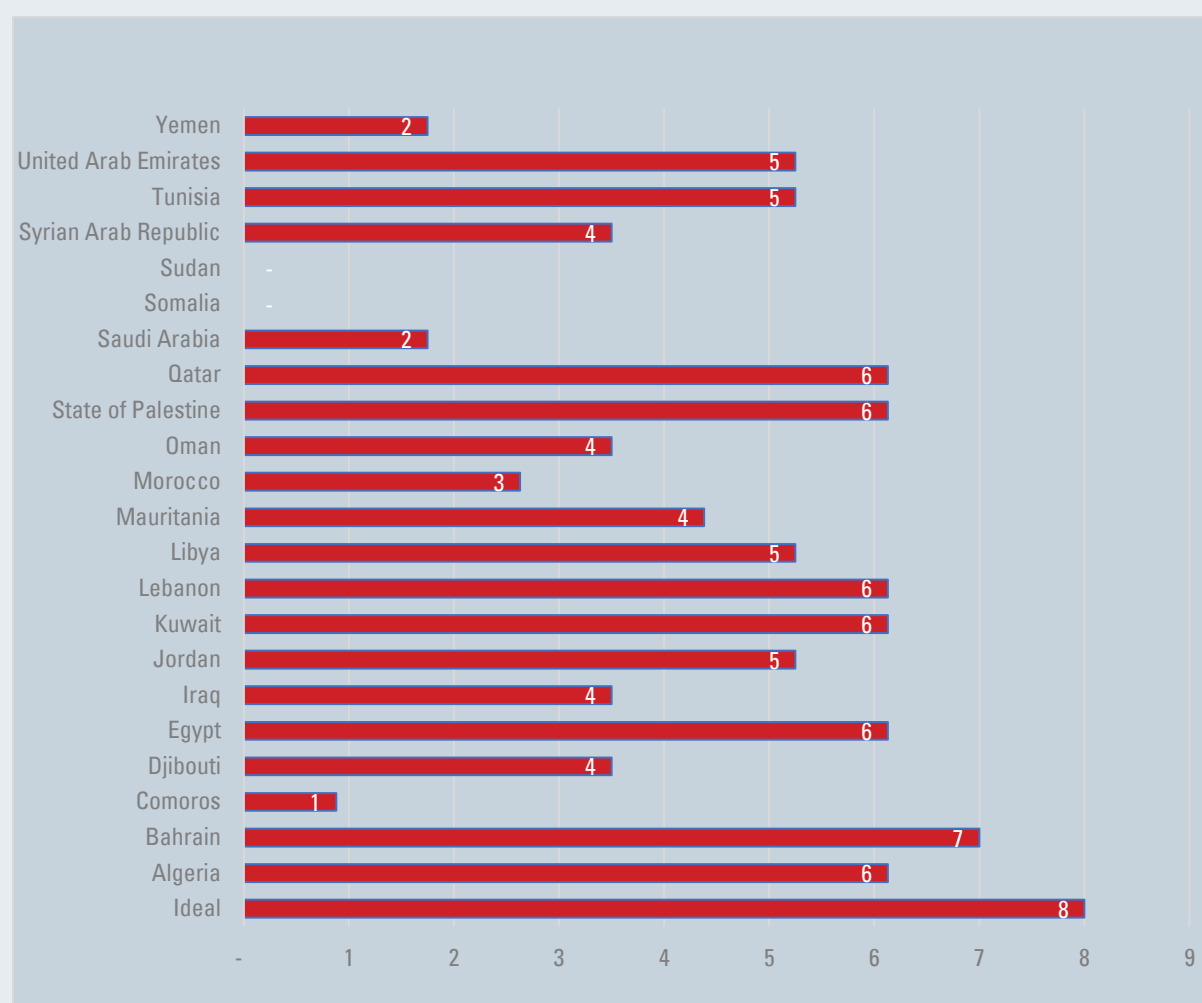
With regard to Arab middle-income countries (MICs), namely Algeria, Egypt, Jordan, Lebanon, Morocco and Tunisia, the collective grade is strong. Algeria, Egypt and Lebanon stand out with a very strong score. Disparities are evident, emphasizing the need for consistent efforts across the region. Morocco shows substantial room for improvement with a basic grade. Meanwhile, Jordan and Tunisia show strong provisions and can still work on fully realizing the potential of organizations established for ensuring better consumer redress.

In Arab conflict-affected countries (CACs), which include Iraq, Libya, the State of Palestine, the Syrian Arab Republic and Yemen, overall progress is noted with a “developed” classification. The laws of Iraq provide for warranties and after-sale services, but limitations exist on substitution and refund rights, and there is no online platform for complaints. Libya mandates suppliers to inform consumers about their rights, enhancing consumer trust. The Syrian Arab Republic has room for improvement with restrictions on product replacement, but consumer defense organizations play a pivotal role in the country. The position of Yemen is weak, as it lacks strength in redress measures, while the State of Palestine stands out with a very strong classification, reflecting extensive consumer rights and redress avenues.

Meanwhile, Arab least-developed countries (LDCs), which include Comoros, Djibouti, Mauritania, Somalia and the Sudan, exhibit an overall weak framework for measures enabling consumer redress, emphasizing the urgency for legislative enhancements. Mauritania stands out with a “developed” classification, implementing a robust Consumer Protection Law. Djibouti, classified as “moderate”, enforces supplier obligations but needs further efforts for a comprehensive redress system. Comoros relies on sanctions but lacks a clear framework for consumer redress, underscoring the imperative for improved laws and regulations. Other LDCs do not have any measures in place to enable redress.

The individual scores of Arab countries for measures enabling consumers to obtain redress are displayed in figure 4. The scoring used is based on the methodology present for assessments undertaken in the ABLF report.⁸

Figure 4. Score for measures enabling consumers to obtain redress



Source: ESCWA compilation based on ABLF country profiles results.

The scores presented in figure 4 signify a noteworthy accomplishment in various Arab countries, showcasing the development of legislative frameworks that closely align with international best practices. It is crucial, however, to acknowledge the existing disparities among Arab countries, with some indicating substantial areas for improvement in this regard. Annex offers an overview of the redress mechanisms in place across different countries, providing a summarized view of the major practices within each country.

Box 5. Bahrain Chamber for Dispute Resolution: a leading dispute resolution institution in the Arab region

In the dynamic landscape of the Arab region, the Bahrain Chamber for Dispute Resolution (BCDR) has emerged as a distinguished institution for resolving disputes. Its prominence is rooted in a steadfast commitment to excellence, innovation and the integration of international best practices. Several key factors underscore its significance in the field.

Establishment and evolution:

- Founded by Bahraini Legislative Decree No. 30 of 2009, amended by Legislative Decree No. 64 of 2014 and Legislative Decree No. 26 of 2021.
- Originally partnered with the American Arbitration Association in pursuit of international best practices before achieving financial independence and administrative autonomy in 2022.

Recognition and accreditation:

- Acknowledged by the Global Arbitration Review (GAR) journal in 2021 as a noteworthy arbitration institution in Africa and the Middle East, earning a place on the GAR Guide to Regional Arbitration's "White List".

Components of BCDR:**1. BCDR court:**

- Jurisdiction over disputes exceeding 500,000 Bahraini dinars that involve financial institutions or licensed companies, or that are of an international commercial nature.
- Expanded jurisdiction over real estate and trust disputes, fostering a comprehensive legal framework.
- Court rules emphasize electronic means for efficient filing and communication.

2. Arbitration and mediation centre:

- Administers cases under BCDR rules for arbitration or mediation, catering to local and foreign entities.
- Updated arbitration rules (2022)^a and mediation rules (2019)^b prioritize procedural efficiency and cost-effectiveness.
- Specialized sports arbitration rules introduced in 2022, which contribute to sports law and arbitration development.

3. Facilities and services:

- Purpose-built facilities equipped with state-of-the-art technology, including hearing and meeting rooms, translation booths, and videoconferencing.
- Support not only BCDR hearings but also ad hoc arbitration and mediation proceedings, seminars, and outreach events.

Outreach and education:

- Integral commitment to training and education, and to conducting workshops for legal professionals, judges and law students.
- Hosts the Middle East Pre-Moot, in collaboration with the United States Commercial Law Development Programme of the United States Department of Commerce and the University of Pittsburgh.
- Organizes international arbitration and mediation conferences, actively participating in the United Nations Commission on International Trade Law (UNCITRAL) working groups.

Publications:

- The biannual BCDR International Arbitration Review publishes scholarly articles and case decisions in Arabic and English. Topics include recognition of foreign arbitral awards, women's voices in international arbitration, investment arbitration, and online dispute resolution.
- Recognizes Arab scholars through a series of publications honouring their contributions to international arbitration and law.

Future initiatives:

- Anticipates publishing new rules governing disputes in Islamic finance.
- Plans to introduce rules for administering proceedings under ad hoc or non-institutional rules, including the UNCITRAL arbitration rules.

BCDR has not only successfully implemented impactful reforms but has also strategically positioned itself as a preeminent institution in the Arab region. Its achievements through international collaboration, recognition, jurisdictional versatility, innovative practices, and a dedicated commitment to education and outreach underscore its active contribution to the advancement and excellence of dispute resolution in the region.

Source: [Bahrain Chamber for Dispute Resolution](#), 2023.

^a Bahrain Chamber for Dispute Resolution, [2022 Rules of Arbitration](#), 2022.

^b Bahrain Chamber for Dispute Resolution, [2019 Mediation Rules](#), 2019.

7. Conclusion

The imperative to empower consumers through effective redress and dispute resolution mechanisms cannot be overstated, as it forms the foundation of a fair and sustainable marketplace. The present paper has underscored the vital role of accessibility, transparency and responsiveness in ensuring that consumers can seek resolution for complaints swiftly and efficiently. A multifaceted approach that combines traditional legal avenues with alternative dispute resolution mechanisms, such as mediation and arbitration, is essential for catering to the diverse needs of consumers. Policymakers and industry stakeholders must collaborate to establish and promote these mechanisms, fostering a culture of fairness and accountability.

Informed consumers approach dispute resolution confidently. It is thus essential to prioritize consumer education and invest in educational initiatives that clarify rights and resolution intricacies. With the advancement of e-commerce, embracing technological innovations can enhance the accessibility and efficiency of redress systems. Digital platforms and online dispute resolution tools simplify the resolution process, allowing consumers to seek solutions more conveniently and without unnecessary hurdles.

In implementing these recommendations, a concerted effort is required from both the public and private sectors. Governments should enact and enforce consumer protection laws that promote fair and just redress mechanisms, while businesses should proactively incorporate consumer-centred policies and practices into their operations.

To further enhance the redress landscape in the Arab region, it is recommended to promote collaboration among Arab countries for the establishment or improvement of regional redress mechanisms. This may entail creating regional dispute resolution bodies or harmonizing existing frameworks. Arab countries should also consider building partnerships with international organizations to develop standardized and recognized cross-border dispute resolution mechanisms.

At the national level, prioritizing legislative improvements aligned with international best practices is crucial, especially for countries with lower scores on the ABLF measures enabling consumers to obtain redress. Investing in the development of consumer protection organizations, as exemplified by some Arab countries, emerges as a valuable measure in promoting effective redress mechanisms.

In conclusion, while the Arab region has made positive strides in legislative frameworks and consumer protection measures, concerted efforts are imperative to strengthen national redress mechanisms, and facilitate regional and international collaboration for a more comprehensive and effective redress system in the Arab region.

Annex. Overview of consumer protection measures related to redress and dispute resolution in Arab countries

Country	Consumer protection measures
Algeria	Warranties and guarantees for defective products
	Establishment of consumer protection organizations
	No exemption regarding the right of consumers to obtain redress

Country	Consumer protection measures
Bahrain	Right to redress for defective products
	Complaints to the council for dispute resolution
	Consumers can present complaints to the council regarding infringements
Comoros	Sanctions for infringements regarding public health
Djibouti	Guarantees for commercial products
	Refund and substitution rights for consumers
	Sanctions for suppliers refusing refund or substitution
Egypt	Right to return or substitute products within 24 days
	Obligation for suppliers to inform authorities of product defects
	Fines and imprisonment for breaches of consumer protection laws
Iraq	Warranties for purchased products
	Right to after-sale services
	Sanctions, fines and incentives for whistleblowers
Jordan	Right to obtain redress, get a refund, or return the product, and address product glitches
	Complaints to the authority for infringements
	Judicial police investigating infringements
Kuwait	Right to obtain redress, get a refund, return the product or get it fixed
	Complaints to the committee for infringements
Lebanon	Right to obtain redress and repeal contracts
	Complaints directed to the directorate or dispute resolution committee
	Right to reverse decisions within 10 days (except in specific cases)
Libya	Right to return and refund defective products
	Sanctions for infringements
Mauritania	Corrective sanctions for breaching consumer rights
	Consumer protection organizations to assist consumers
Morocco	Conventional warranties and after-sales services
	Right to return products within a specific period
	Sanctions for breaches of consumer protection laws
	Establishment of consumer protection associations
Oman	Right to return and refund for defective products
	Complaints to the authority for infringements
	Sanctions for breaches of consumer protection laws
	Penalties and fines for infringers

Country	Consumer protection measures
State of Palestine	Right to return, refund and repair defective products
	Complaints to the authority for infringements
	Sanctions for breaches of consumer rights
Qatar	Right to recall, refund or repair defective products
	Complaints to the authority for infringements
	Fines and imprisonment for breaches of consumer protection laws
	Minister's authority to settle violations before court proceedings
	Consumer protection associations and organizations
Syrian Arab Republic	Right to replace products with defects or glitches
	Complaints and sanctions for infringements
	Prohibition of promoting counterfeit products
	Establishment of organizations to defend and protect consumers
Tunisia	Warranties and right to return, refund or repair products
	Complaints to the authority for infringements
	Sanctions and fines for breaches of consumer protection laws
	Consumer defense organizations are allowed to operate
United Arab Emirates	Penalties and fines for breaches of consumer rights
	Right to recall, refund or repair defective products
	Complaints to the ministry for consumer protection breaches
	Associations, organizations and private institutions related to consumer protection
Yemen	Quality guarantees, after-sale services, and right to refund/substitute products
	Complaints to the authority for infringements
	Allow the establishment of organizations to defend and protect consumers
	Study and monitoring of market prices by consumer protection organizations

Source: Based on ABLF assessment for consumer protection.

Endnotes

1. United Nations Conference on Trade and Development (UNCTAD), [Dispute resolution and redress: Note by the UNCTAD secretariat](#), 2018.
2. Asher, A., Dee, W., and Wood, J. T. D., [Models for internal complaint systems and external consumer redress schemes in ASEAN: Output 8 ASEAN complaint and redress mechanism models](#), 2013.
3. UNCTAD, [Manual on Consumer Protection](#), 2018.
4. UNCTAD, [Dispute resolution and redress: Note by the UNCTAD secretariat](#), 2018.
5. Asher, A., Dee, W., and Wood, J. T. D., [Models for internal complaint systems and external consumer redress schemes in ASEAN: Output 8 ASEAN complaint and redress mechanism models](#), 2013.
6. UNCTAD, [United Nations Guidelines for Consumer Protection](#), 2016.
7. European Commission, [Evidence-based consumer policy](#), 2023.
8. ESCWA, Arab Business Legislative Frameworks 2023 - Consumer protection country profiles (forthcoming).

