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**TOPIC: KNOW YOUR RIGHTS, TAKE
RESPONSIBILITY.**

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Introduction

Consumer protection is a very crucial thing in the today's society everywhere in this world. The society consumption and the means of consumption changes over time and thus means that, the way their rights are protected must change accordingly. It is important to take a deep look and analysis on how laws that governs a given country is relevant or sufficient in protection of consumer rights of its citizens. Every country prescribes its own set of consumer rights to its people to ensure maximum protection to its citizens.

Since the mid-20th, consumer protection law has expanded leaps and bounds beyond its previous standards. Today, most of European countries and United States of America plus other few developed countries; their regulation to this sector continues to grow up. However, this begs certain questions specifically to our community and our country's development. What does it mean consumer protection? How and what benefits me? How does it benefit Rwanda? Are there challenges that need to be addressed? The conducted research over this essay is all about to answer these questions. This content is exclusively for updating and spreading awareness among the students and the readers at large about their rights as customers.

To do anything about this topic, the first question lies in interpretation and definition. The definition of consumer which will be used many times in this essay can be traced in the interpretation of the section.2, of east Africa competition act 2006

As such "A consumer" is any person who purchases or acquires a commodity or service for personal or family use for noncommercial purpose. The definition of a consumer can also be condense the form of formal definition by interpreting the article 2 of the law N^o 36/ OF 21/09/2012 relating to competition and consumer protection. It provides that "a consumer" is any person who purchases or acquires a commodity or service for personal or family use for noncommercial purpose. From the above definitions a consumer can be defined as any person be natural or artificial person who buys goods or service for personal use other than commercial purposes. "Consumer protection law" may be defined as the rules, orders and regulations that are designed to ensure the life, health, and safety of consumers.

From my research, I have come up solutions and trends which answer the questions I sought to work on; this essay is intended to expose my findings. Thus, this essay holds the following: why do we need consumer protection laws, how to sustain the existence of the interests of seller and the interests of consumer, particularly to Rwanda's development as it had direct relationship with consumer protection, and the reason for the continuation of improving consumer protection.

Economic assessment

Consumer protection laws deserve special protection and respect within society. After all, why wouldn't legislation designed primarily to safeguard the vulnerable strike one as anything but virtuous? In 1983, consumers international issued a charter of consumer rights, which provides the right to safety, to information, to choose, to be heard, and to redress to education and to healthy environment. All the above enshrined rights have been also highlighted under Rwandan law N^o 36/2012 of 21/09/2012 relating to competition and consumer protection. The importance of enshrine such rights in law and seeing to their enforcement only grows with the increasing interconnections of world economies and the rise of e-commerce. This is especially true for EAC, Where growing numbers of consumers make purchases online and also the fact of global trend, the UN revised their own guidelines of consumer rights in 2015. Premising them on the objectives of promoting sustainable consumption, and further international cooperation in the field of consumer protection among others. It therefore requires all of us citizens, law makers alike, to have a firm role on the well operating of consumer protection law in society, and the future possibilities which might logically follow.

Fundamentally, as far as the market goes, the benefits of having consumer protections are straightforward. When the consumer is protected and has real confidence in their investments, it encourages a steady supply chain. In short, it ensures safety throughout all areas of an economy. This safety enables more purchasing to be done, more money to flow. Vice-versa, consumer protection law creates a "parallel industry" of record keeping, evaluation, and license, among other things. This speaks to a possible setback of excessive regulation, which is often acclaimed by more liberal thinkers. However, bureaucracy is quite capable to of being fought, and is a small price to pay for the wellbeing of the citizens. Indeed, positions on this question hold significant weight when it comes in developing nations such as ours, something which will be explained in the next section of this essay. Addition that we can take the response of recent covid-19 pandemic and the American federal government to the 2008 recession, the Dodd-frank act for example, it goes to show that consumer protection is especially necessary in times of economic disaster. Based upon my findings, laying some foundation for less exploitation is not only morally archaic, but is also economically rational.

However, it would be a mistake to make an economic assessment of these crucial questions while only viewing consumer protection law in isolation. This is where the concept of competition law comes in. the Kings College London defines competition law as "the laws that are adopted to make sure that there is fair competition between businesses. For example by

making rules that controls monopolies. In reality, legislation designed to promote or seek to maintain market competition by regulating “anti-competitive” conduct by companies.

The alternative topic given for this essay competition was, in fact, based on the topic of consumer protection, but through my research I have found that there is exist a unity and struggle between both concept options. That is, consumer protection law and competition law. these concepts have dual relationship with each other, being mutually beneficial and detrimental to varying extents. Consumer protection may, for example, serve as completion through encouraging consumers to participate in the market place as previously stated. However, Health, Safety and environmental issues may result the withdraw of products, closing of firms, and other things on that nature which necessary deter free competition. Thus, while competition and consumer protection are two parts of the effective functioning of the market, they approach this goal through opposing perspective. High competitive efficiency spells out minimal protection for the average person.

The Rwanda

It’s more obvious that a country like Rwanda that has been approvingly advancing in most of its fields will not leave behind something like consumer rights since every Rwandan is a consumer in one way or another.

The situation regarding consumer protection in Rwanda is quite unique. This is heavily due to the existence of the institutions of Rwanda utilities regulatory authority (RURA), Rwanda consumer’s rights protection organization (ADECOR), food and drugs authority (FDA), Rwanda inspectorate, competition and consumer protection authority (RICA), which has proven to be capable of spearheading country’s policy-making in this sphere, and Through different regional integrations such as east Africa community (EAC) and common market for east and south African countries (COMESA). These two factors are both integral to the understanding of the reasons behind prepositions of strong consumer protection law in our Rwandan community.

As it stands, the existence of these institutions in Rwanda enables us to address consumer protection law issues in an effective manner. These institutions carry out tests on range of products and publish the grades of the standards being maintained. In Rwanda every product or service that is bought and sold must meet standards. These standards include legal requirements such as those under the sale of goods act, as well as those created by in charge bodies.

The following are the rights that the above institutions are responsible to protect and promote. It also includes examples of how such institutions have been, and are working to make sure that those rights are well respected.

The Right to information.

Its consumer's right to be given the facts you need about the product in order make choices and be protected against dishonest or misleading advertisement and labeling. This is done to make sure how the product is used, number of pieces, side effects of the product etc. this done before the signing of waivers, warranties or service contracts. This is one of the basic rights to be exercised by the consumers due to the fact that most of the consumers from developing countries including Rwanda had limited knowledge about the industrial products. So the professionals must display enough information about their products and services.

The right to choose. Consumer must exercise the right of choosing from a range of goods at competitive prices with an assurance of satisfactory quality. This is still a problem in areas of monopolistic markets where consumers had no any other choice except buying what is available. Back in days, in Rwanda there was only one company in the sector of telecommunication networks (MTN) where it was very difficult for the Rwandans to exercise their right of choosing but now there more than one company in Rwanda in the sector of telecommunication networks.

The right to redress.

Its consumer's right to be compensated if he/she bought goods or service due to misrepresentation, the goods bought had defects and other evil practices of professionals. This right is executed by requesting replacement of the commodity bought, refund, and prohibition of the production and use of certain commodity or repair of the product. Case. The food drugs authority (FDA) decision of stopping the use and supply of water from different water supply industries I n Rwanda.

In Africa most of the citizens are not aware of their rights due to high levels of illiteracy and it becomes very difficult for them to exercise the right of redressing the problem they encountered during the use of the commodity bought. This can be solved only through teaching the community about their rights as consumers, forming school clubs from nursery level up to university level so that the problem of ignorance among the consumers can be reduced.

The right to a healthy environment.

Its every person's right to live and work in an environment that is neither threatening nor dangerous but rather permits a life dignity and wellbeing. So as Rwandan government has been improving the livelihoods of the Rwandans in the different areas it must also develop laws that ensure sanitation in the shops, factories and stores. E.g. in Rwanda to start a business that sells meats (butcher) its precondition to have house that is decorated by tiles (amakaro)

The right to safety.

Consumers have the right to be protected against the selling of goods and provision of services that are hazardous to their lives. This can be achieved if the producers and sellers provided the full information about the use of the product, side effects, expiration date and other precautions.

The right to be heard.

This means that the consumers interest will receive due consideration at appropriate forums. It also includes right to be presented in various forums formed to consider the consumers welfare. In Rwanda we have Rwanda consumer's rights protection organization known as (ADECOR) which is responsible of representing all the consumers in Rwanda.

The right to education

The right to consumer education focuses on spreading the meaning of consumer awareness and having each citizen and consumer know what consumer rights are. Information about consumer rights must be given to all consumers, which is ensured by this right.

In the way that Rwandan government has given all consumers a set of rights, now it's the responsibilities of consumers to comply with the duties provided to them. This is because consumer duties are important as consumer rights. Some of the major duties assigned to consumers include the following.

Consumers had the duty to make sure that the goods and services he/she is buying is of good quality and have been licensed by the government organs responsible of it. For example Rwanda standard board (**RSB**), food and drugs authority (**FDA**), and Rwanda utilities regulatory authority (**RURA**) if it is service providing.

Consumers should follow lawful means and ways while purchasing goods and services.

It's also consumer's duty to make sure that he/she have seen and understood the all the information about product and make an informed choice. This goes with the right to have information about how the product is used, and side effects of using such product. Consumers also had the duty to ask for bills of purchase from the seller to help them to solve any miss understanding if there is any raised up among them.

Consumers had the duty to call out any behavior that is seen as exploitative and other trade practices that are regarded as unfairly done by the sellers.

Consumers express their needs and requirements through non-political organizations they formed themselves. Here in Rwanda we have Rwanda consumer's rights protection organization (**ADECOR**) which is responsible for advocating and promoting the wellbeing of consumers.

From legislative point of view, consumer rights are well defined in the codified statutes. But here the problem comes in, is to know how effective the codified laws credited in the achievement of consumer protection rights. The fact that, most of the developing countries including Rwanda people are illiterate and are not aware of what is taking place at the market can't be left behind when your finding solutions to problems concerning consumer rights ; it's also well known that most of the concerned citizens are ignorant about their rights. It is from this back ground that other means other than codified laws can be used to achieve what the country wishes.

The inadequate of laws and regulations to achieve the goal of the country, its where civil society organizations comes in to play a role by sensitizing and educating the general public and to exercise their rights. In Rwanda we have, Rwanda consumer's rights protection organization known as (ADECOR). This is Civil Society Organization established in 2008 with a Legal personality since 2009. Its establishment was based fundamental principles of Consumer rights. Since its creation, ADECOR has built networks and partnership with other organizations. In this angle, it is full member of Consumer International since 2013 and member of Africa Consumers dialogue since 2012. It has also established partnerships with other consumers' organizations in many countries. At national level, ADECOR is member of Scaling up Nutrition Alliance in Rwanda (SUN Alliance Rwanda), Rwanda National Dairy Platform (RNDP), Rwanda National Food Fortification Alliance (NFA)... In addition to those Civil Society Organizations platforms, ADECOR works in close collaboration with public and private institutions with the same objectives.

In my findings ADECOR is working in a direction that shows that, if more efforts are provided in civil society activities that are based on community level, people will be aware of their rights and at certain extent consumer problems will be forgotten story. This can be done through organizing seminars, exhibitions, rallies and workshops; the significant and important decisions from consumer forums can be also distributed among the people to make them aware of their rights.

Recommendations

It is the responsibility of the ruling government and administration to look after the public. This is why the government of Rwanda has started campaign to raise awareness of the competition and consumer protection law N^o 36/2012 of 21/09/2012. The introduction of this law has paved the way for consumers and retailers alike to cooperate within a framework which

will benefit both sectors with very clear guidelines on both retailers and consumers rights and responsibilities. RICA is the government department dedicated to raising awareness of consumers and retailers rights and responsibilities and through the commercial compliance and consumer protection division, the department will also deal any relevant disputes. However, the government can only implement the regulations if there is full support from the consumers all over the country. By doing so, the government should the following; forming of consumer protection clubs in schools from lower learning institutions to higher learning institutions. This can be done with the sole aim of teaching the children from lower ages about their rights and how their protected under the law. The reason of targeting children, it's only because there the future generations and also in Rwanda the bigger percentage of the population is below 25 years of age. This explains why any form of mobilization aiming at sensitizing the general public about their rights as consumers must engage the youth.

From my experience as a university student that spends almost five years at the campus, when the university administration have a program that wants to mobilize and carry out in the university, for it to be successful it must engage the voluntarily student clubs and associations. So the responsible institutions must also follow the same means if they want to achieve their goals. It is often said that consumer movements can be effective only with the consumer's active involvement. Consumer's movement and forums therefore, require a voluntarily effort and struggle involving the participation of one and all.

Another thing to embark on is Class action; in the situation where many people have common claims against one or more defendants, one or more plaintiffs may also file lawsuit, known as class action, on behalf of all similarly situated individuals. Class actions allow courts to manage a large number of claims more efficiency, and they enable plaintiffs who might not have been able to pursue a claim individually to assert their rights in court. Individuals who have claims under consumer protection statute, for example, he/she may not find it economically feasible to file a lawsuit on their own, but they could participate in a class action. This is used by the American law system, where they use this system to advocate and here the problems of consumers in large numbers, Frcp 23(b) identities three types of class actions; the court must make of the following findings when certifying the class; requiring separate lawsuits could result in inconsistent rulings, or a ruling on one class member's claims could affect other class members liability to pursue their own claims, known as a (b)(1) class; the defendant has acted, or declined to act, in a way that affects the whole class, meaning that the court could grant injunctive or declaratory relief for them as a group, known as a (b)(2) class ; or the common questions of law or fact "predominate" over any individual members claims, making a class action the better means of resolving the dispute, known as a (b)(3) class.

Conclusion

A rare instance of directly overlapping mutual benefit, consumer protection law is in the best interests of the economy and the people. The discussion on this issue has continued its rapid progression ever since John F. Kennedy first addressed Congress on protecting the consumer interest, and, understandably, takes on new forms as the fundamental nature of the market undergoes rapid change. Despite being at odds with competition in the broadest sense, both can work together harmoniously and achieving an acceptable balance. RICA, therefore, has a responsibility to continue working hard to promote this balance, set the tone of the discussion, and establish appropriate frameworks for member states. Lives hinge upon the decisions which we, as Rwandan people, make today, and I hope that this essay enables whoever reads it to make the right choices.

END