

CAPABILITY STATEMENT

CONSUMER PROTECTION ADVOCACY – CUTS-CITEE NAIROBI

1. Name and Contact Address

Consumer Unity & Trust Society - Centre for International Trade Economics and Environment (CUTS-CITEE)

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2. Nature of the Organization Registration

CUTS-CITEE is an independent Non profit; Non Governmental Organization Registered under Section 10 of the NGO Co-ordination Act of the laws of **Kenya** on 2nd November 2000. CUTS-CITEE, Nairobi is an independent legal entity with its own management. It functions as a regional (East African) centre of excellence for policy research, advocacy, Capacity building and networking within its programme areas; Consumer

protection, Education and governance, trade and development, competition, investment and economic regulations programmes. The centre implements network-based projects in partnership with Governments, Civil Society Organizations, Utilities, Producers, farmers organizations, Business Community, Research Community/Academia, Media, Donor Community and other relevant stakeholders to address developmental challenges in the region from national, regional and global perspectives.

It is affiliated to CUTS International (www.cuts-international.org) registered in India in 1984 as a non-governmental organization working on public interest issues with 'rights-based' approach in different parts of the world with a staff strength of over 120 persons and a large international network of professionals (associated in various other capacities, e.g., fellows, consultants, advisers, etc.) working on Consumer protection, governance, international trade and development, competition policy, law and economic regulation issues.

3. Brief outline of objectives of the organization:

Vision: Consumer sovereignty in the framework of social justice and equality within and across borders

Goals: The goal of CUTS - CITEE, Nairobi is to contribute to national and regional policy discourses by providing technical support and guidance to various stakeholders

on national, regional and international policy issues, viz. consumer protection, competition, trade and development, poverty reduction and regulatory policy issues.

CUTS - CITEE, Nairobi has a mandate to provide information services, facilitate dialogue, deliver support services, commission and support research to achieve this goal.

Objectives:

- To act as resource centre for information on consumer protection, competition, investment, regulatory, trade and development policy issues.
- To build local, national, and regional capacities of multiple stakeholders on areas of consumer protection, trade and sustainable development, competition, investment, and regulatory policy through advocacy and dissemination of information through a south-south partnership approach.
- To promote civil society co-operation on consumer protection, trade, sustainable development and regulatory reforms by creating and building long term capacity of civil society representatives to address the issues of equity and accountability in the economic systems.
- To undertake research based advocacy at the national, regional and international levels on those policies that have impact on consumer welfare, trade and sustainable development.

4. Overview of Consumer protection work at CUTS-CITEE, Nairobi

The Mission for the Consumer Protection and Education Programme at CUTS-CITEE, Nairobi is to promote socio-economic justice that embraces consumer rights. The programme engages in Research based policy advocacy on both national and regional consumer rights issues. We centre on the empowerment of marginalised consumers through education and access to information prerequisite for rational decisions, choices, voice, and informed participation in the utility sector reforms.

The Consumer protection programme focuses on the following:

- Consumer rights education and awareness
 - Consumer safety issues
 - Consumer protection policy advocacy
- ✓ During the period 12th July 2011, CUTS-CITEE in collaboration with Monopolies and Price Commission, Consumer Information Network and US FTC organized a consumer protection roundtable in Kenya to bring together consumer protection organizations and agencies in the country to deliberate on the consumer protection initiatives in Kenya. The objective of the consumer roundtable was to appreciate the ongoing and completed consumer protection initiatives in the country, to share on the experience of consumer protection by US Federal Trade Commission and to forge the way forward of enhancing consumer protection in the country. The round table was a launch pad session to bring together consumer champions and protection agencies in the country. Consumer champions were able to deliberate

freely on issues bedeviling consumers in Kenya and forge common ground on dealing with these fundamental issues.

- ✓ CUTS-CITEE organized a public forum on strategies for addressing water reform problems in Kenya during the 26th November 2008 at Nairobi Safari Club. The objective was to debate on the consumer interests being abused in the process of reforming the water sector and to establish what mechanisms/plans exist to facilitate feedback especially in addressing the emerging consumer challenges for policy intervention.
- ✓ A study on the competition and regulation in the energy sector to address the consumer concerns touching on a range of issues including among others, escalating consumer prices, unreliability of energy supplies, relatively high consumer tariffs and out of reach for the low-income group majority of who live in the rural areas. http://www.cuts-international.org/ARC/Nairobi/Competition_in_Energy_Sector/index.htm
- ✓ Consumer protection and policy advocacy work by CUTS-CITEE has majorly been through the social networks i.e. <http://www.facebook.com/groups/kenesco/> and media as illustrated bellow:
 - a. <http://www.businessdailyafrica.com/Opinion%20&%20Analysis/Growing%20financial%20complexity%20calls%20for%20improved%20structures/-/539548/1028094/-/nw4rkv/-/index.html>

- b. http://www.cuts-international.org/ARC/Nairobi/article-State_should_curb_rising_fuel_prices_in_Kenya.htm
- c. http://www.cuts-international.org/ARC/Nairobi/article-Protect_financial_service_consumers_to_make_sense_of_proposed_hub.htm
- d. http://www.cuts-international.org/ARC/Nairobi/media-State_must_protect_consumers_from_high_prices.htm
- e. http://www.cuts-international.org/ARC/Nairobi/media-Growing_financial_complexity_calls_for_improved_structures.htm
- f. http://www.cuts-international.org/ARC/Nairobi/media-Regulator_must_protect_interests_of_the_insured.htm
- g. http://www.cuts-international.org/ARC/Nairobi/article-EA_region_needs_effective_competition_policy.htm
- h. http://www.cuts-international.org/ARC/Nairobi/pdf/African_Dialogue_Vol1-Issue3.pdf
- i. http://www.cuts-international.org/ARC/Nairobi/pdf/Guarantee_is_not_a_Shoe-A_Consumer_Guide_to_Warranties.pdf
- j. http://www.cuts-international.org/ARC/Nairobi/pdf/African_Dialogue_Vol1-Issue1.pdf
- k. <http://www.borglobe.com/25.html?m7:post=state-should-curb-rising-fuel-prices-in-kenya>
- l. http://www.cuts-international.org/ARC/Nairobi/pdf/African_Dialogue_Vol1-Issue2.pdf

- m. http://www.cuts-international.org/ARC/Nairobi/press_release-CUTS_Nairobi_calls_for_sound_fiscal_and_monetary_policies_to_end_incessant_oil_fuel_inflation_in_Kenya.htm
- n. http://www.cuts-international.org/ARC/Nairobi/Competition_in_Energy_Sector/event-Scoping_Workshop_on_Competition_Policy_and_Regulation.htm
- o. http://www.cuts-international.org/ARC/Nairobi/Kenya_Consumer_Protection_Round_Table.htm

5. Complain handling /advisory/ guidance mechanism

CUTS-CITEE is in the process of establishing a consumer complains and advisory cell in Nairobi to help in dealing with regular concerns by consumers in the country and region. It will involve a dedicated consumer desk with a hotline to receive and compile consumer complains, concern and to forward them to relevant authorities. The cell will also be responsible for advisory services to consumers. The cell will be maintained by CUTS-CITEE Nairobi and popularized through the online social networks (face book, twitter and consumer protection blogs). It is to borrow much from the already established consumer complaints and advisory cell by CUTS- CART. http://www.cuts-international.org/CART/Complaints_handling_Information_and_Advisory_Services.htm

Most of CUTS-CITEE consumer education has been through the media. CUTS-CITEE has the capacity to organise consumer education forums in the country based on availability of financial resources.

6. Major consumer issues dealt with in the last five (5) years

- a. The issue of inflation or skyrocketing of prices of basic consumer good in the country; advocacy on consumer friendly policy intervention
<http://www.businessdailyafrica.com/Opinion+++Analysis/State+should+curb+rising+fuel+prices+in+Kenya/-/539548/1147542/-/view/printVersion/-/gy5u0jz/-/index.html>
- b. Consumer concerns on the state and performance of energy sector in Kenya including among others, escalating consumer prices, unreliability of energy supplies, entry barriers for provision of services, collusions and environment concerns.
http://www.cutsinternational.org/ARC/Nairobi/Competition_in_Energy_Sector/index.htm
- c. Issue on importation of GMO food products in Kenya; consumer awareness and education on health impact. <http://www.facebook.com/groups/kenesco/>
- d. Issue of price control in Kenya; its impact on the supply and prices on the essential consumer products.
<http://www.businessdailyafrica.com/Could+we+be+queuing+for+bread+and+fuel+in+the+near+future/-/539546/907026/-/16qf3vz/-/index.html>

e. Issue of full disclosure in the insurance policy to consumers (insured)

<http://www.businessdailyafrica.com/Opinion+++Analysis/Regulator+must+protect+interests+of+the+insured/-/539548/965178/-/item/0/-/ng7ipo/-/index.html>

f. The issue of financial consumer illiteracy, financial products and fine print by financial service providers in Kenya

<http://www.businessdailyafrica.com/Opinion%20&%20Analysis/Growing%20financial%20complexity%20calls%20for%20improved%20structures/-/539548/1028094/-/nw4rkv/-/index.html>,

g. Consumer education on their rights in the communication sector and Financial sector regulations through social media

<http://www.facebook.com/groups/kenesco/http://www.facebook.com/pages/Communications-Commission-of-Kenya-CCK/148566638537796>,