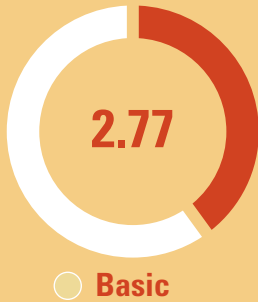
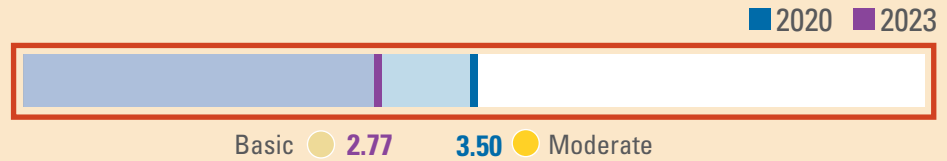




ARAB BUSINESS LEGISLATIVE FRAMEWORKS



CONSUMER PROTECTION



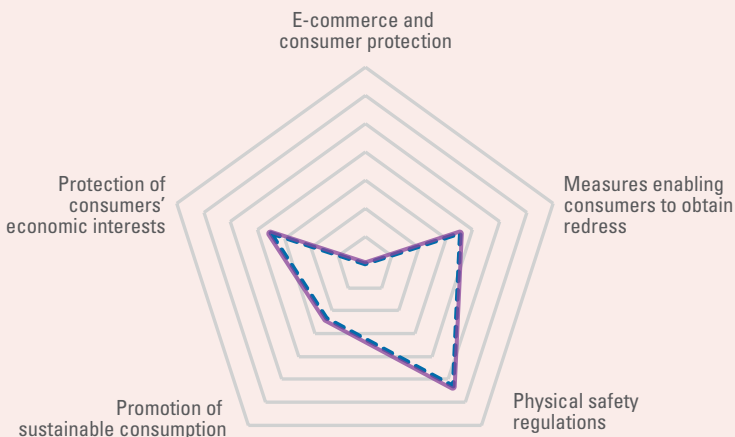
● Very weak ● Weak ● Basic ● Moderate ● Developed ● Strong ● Very strong

COMPONENTS

	2020	2023
E-commerce and consumer protection	—	● 0.00
Measures enabling consumers to obtain redress	● 3.50	● 3.50 ▶
Physical safety regulations	● 5.25	● 5.25 ▶
Promotion of sustainable consumption	● 2.33	● 2.33 ▶
Protection of consumers' economic interests	● 3.50	● 3.50 ▶

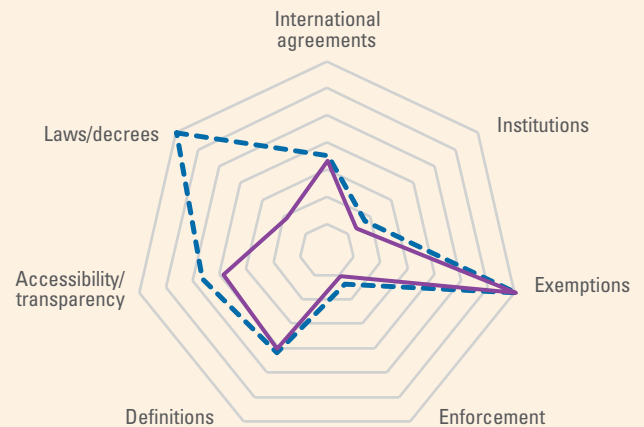
COMPONENTS

■ 2020 ■ 2023



ELEMENTS

■ 2020 ■ 2023



Djibouti has not, to date, adopted an independent consumer protection law. The provisions that tackle this subject are in title 2 of the Competition Law No. [28/AN/08/6ème L](#) on the protection, repression of fraud and consumer protection.



Physical safety regulations

Pursuant to section 2 of title 2 of the law, suppliers have a duty to verify their conformity to the established criteria. Also, to protect the safety of consumers, articles 49 and 50 prohibit suppliers to mislead consumers (even through third parties) regarding the substantial quality of foods/products, ingredients, mode of operation, or offering for sale or selling falsified and/or toxic drug substances, hygiene, etc. Also, according to article

51, regulatory measures and criteria are to be set to ensure the safety of consumers concerning the manufacture and import of goods, the definition, composition and value of goods, personal hygiene and health conditions, etc.

Finally, it is worth noting that there are no exemptions regarding the physical safety of consumers in Djibouti.



Protection of consumers' economic interests

Section 1 of title 2 of the law tackles the protection of the economic interest of consumers. According to articles 40 to 47, suppliers have the duty to inform consumers about the accurate price of goods as well as the contractual responsibility for any misleading information/advertisement. Clauses that tend to place consumers under an abuse of economic power by conferring an excessive advantage can be prohibited. Also, to strengthen the protection regime, article 44 goes further by considering that clauses that create a disequilibrium between the rights and duties of consumers/professionals are considered null and void.

Next, to guarantee the freedom of choice for consumers, article 47 prohibits the refusal to sell a product, good, or service, except for legitimate reasons and the subordination of providing a service to that of another service or to the purchase of a product from the supplier, etc.

Finally, strong enforcement mechanisms are stipulated in the law. In reference to the provisions of section 3 (articles 58 to 70), a categorized sanction regime (based on the protected rights) that has a deterrence effect is put in place. Also, administrative officers have a role to investigate infringements and draft a report which will be referred to the competent court.



Measures enabling consumers to obtain redress

Pursuant to article 46, suppliers have a duty to guarantee commercial products and to provide post-sale services, in addition to ensuring the availability of spare parts. As for the refund and right of substitution, according to the provisions

of the law, consumers have the right to get a refund and/or to substitute their products. Moreover, according to article 65, sanctions are put in place on suppliers who refuse to allow substitution or refund.



Promotion of sustainable consumption

Djibouti has adopted Environmental Law No. 51/AN/09/6ème, which includes several provisions for the protection of the environment. For instance, according to article 5 of the environmental law, the State will adopt environmental quality criteria as well as criteria for polluting substances.

Also, pursuant to article 6 of the environmental law, and for the purpose of promoting sustainable consumption, the State must establish educational programmes for citizens as well as capacity-building activities for the concerned individuals (whether in the public or private sector).



E-commerce and consumer protection

None of the provision of Law No. 28/AN/08/6ème L as well as other legislations tackle the transactions accomplished

by consumers through a digital platform.

RECOMMENDATIONS

- To adopt a separate law for consumer protection that covers the different aspects of this field.
- To establish an independent consumer protection authority and empower it to investigate, conduct market studies and impose sanctions.
- To develop more policies and legal provisions that tackle sustainable consumption, including consumer activities, duties on manufacturers, and a specific sanction regime.
- To further develop e-commerce practices and the protection of consumers in the digital market through a separate chapter in the law.
- To establish coordination and conclude agreements with regional and global consumer protection authorities to deter cross-border unfair practices that may be harmful to consumers.

