

# Consumers in the Information Society: Access, Fairness and Representation

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Meeting report **What outcomes do you have to report?:**

In her opening speech at *Consumers in the Information Society*, Consumers International's Director-General Helen McCallum introduced [CI](#) [1]'s work on consumers in the digital age as covering the *networks* which we use to communicate (such as the Internet), the *devices* that we use to do so (such as smartphones and computers), and the *rules* that regulate content passing through these devices and networks (such as intellectual property rights and privacy law).

The two-day conference held on 8 and 9 March 2012 featured presentations on all of these strands of work, with the aim of showing how they could all be tied back together as a framework for protecting consumers' rights in the digital age. Jeremy Malcolm's [opening presentation](#) [2] took up this theme, explaining that the way in which consumers now interact with, challenge, remix and redistribute the information and culture that they receive, poses a challenge to those with vested interests in controlling the information flow, and invites a response that tramples on consumers' rights. For example, when a student cannot copy from an e-book for a school assignment, this impacts on the student's basic need of access to education. When a digital movie is purchased with hidden limitations that prevent it from being played on unapproved devices, the consumer's right to be informed has been infringed. When monopoly communications providers conspire to limit competition for broadband services, this is at odds with the consumer's right to choose. When new rules on intellectual property are developed in secret meetings, the consumer's right to be heard is not honoured.

These problems were addressed in more depth during the remainder of the conference, with **access to knowledge** taking up the morning session of the first day, moving on to **consumer rights and representation in the information society** in the afternoon.

The first speaker in the morning of the first day was Paul Sweazey of the IEEE who gave an [Introduction to Digital Personal Property](#) [3]. This is a proposed technical standard that would provide consumers with a type of digital content that approximates the characteristics of analogue works such as books and records, such as the ability to use them for any purpose, to include others in their use or to exclude them, to gift or sell them, and to do all these things privately without the supervision or consent of the [copyright](#) [4] owner. During question time Paul answered questions on how remuneration for copyright owners will be made (the owners have to decide on how to make their product salable or distributable), about the concerns of developing nations (the ultimate objective is that the digital age gives access to [IP](#) [5] to the entire world), and how IP owners have received the idea (they are nervous in general, but smaller companies have shown the most interest). He did acknowledge that there were outstanding issues surrounding public [fair use](#) [6]: this facility would probably have to be supplied as an additional extra-cost feature with a DPP download. Paul stressed that the specification's governing body should have representation from consumers to ensure the protection of consumers' interests in such cases.

This was followed by a panel session on proposed amendments that would update the [UN Guidelines for Consumer Protection](#) [7] for the digital age. CI consultant Robin Brown spoke first, giving background to the Guidelines themselves, and especially to the role of the consumer movement in driving the proposed amendments through the UN system. Jeremy Malcolm followed by describing the content of the amendments and the programme of research that CI is undertaking to support their adoption at the UN. Researchers Tobias Schönwetter, Pranesh Prakash and Guilherme Varela then spoke about the research that they are conducting under CI's guidance respectively for South Africa, India and Brazil. During question time, it was acknowledged that besides improving the Guidelines, we also need to have mind to the implementation of the existing Guidelines. It was also suggested that the review of the Guidelines could be the topic for next WCRD 2013. Bjarne Pedersen

of CI gave a few words about CI's plans for a broader review of the Guidelines that would build upon the work already done on digital and [A2K](#) [8]-related amendments.

George Yijun Tian of the University of Technology, Sydney spoke next on [Consumer Protection and IP Abuse Prevention under the WTO Framework](#) [9]. He informed us that the WTO's [TRIPS](#) [10] agreement provides leeway for individual countries to restrict the abuse of IP rights by big corporations, using consumer protection law. IP laws differ from country to country, but are all required to meet minimum standards set by TRIPS. Competition and consumer laws are an important way in which to ensure that IP laws are relevant to the needs of the country. An example of the need for such laws is to prevent the exclusion of consumer rights by contract. Australia and Brazil were given as examples of countries in which such laws could be applied against IP abusers. CI's proposed UN Guidelines amendments also reflect this concern. George concluded that stronger consumer protection laws are needed in many countries in order to take full advantage of the flexibility that TRIPS allows.

The next presentation was by Peng Hwa Ang who is both a lecturer at Singapore's Wee Kim Wee School of Communication and Information, and a Vice President of CASE Singapore, speaking on [Internet governance and consumers](#) [11]. He pointed out how the Working Group on Internet Governance, which reported to the World Summit on the Information Society back in 2005, included recommendations on consumer protection in its report. He gave examples of how consumers are affected by Internet governance issues, including online privacy, and some possible solutions such as model contracts. One of the problems is that there is a US bias to Internet governance. It is important for countries not to cede control over those issues that can be addressed at a national level, such as local privacy and consumer protection laws.

Following on was Norbert Bollow, who spoke on [Public Interest Representation in the Information Society](#) [12]. He explained that the issue of where and how to participate is like the flowerpot that encloses the flower, and that we should not lose sight of the main goal - the flower of public interest. He outlined the results of our survey of public interest representation in the information society, and the mapping Internet governance project. There are many organisations working on Internet governance issues. How can we improve coordination of civil society input into all these organisations? CI has taken on this task for the consumer movement. Some work can also be done at the regional or national level, such as implementation of the UN Guidelines (which could be adopted as standards at the regional level perhaps in ASEAN and SAARC), and the adoption and localisation of ISO Standards. All international instruments cannot be applied to the national context. Soft laws such as the UN Guidelines are easier to apply to all countries because of their flexibility.

The first day concluded with a presentation by Jeremy Malcolm of the new [meetings](#) [13] facility of the A2Knetwork.org website, by means of a [screencast](#) [14]. This will enable members to keep track of upcoming meetings and to register their attention to attend them, with support from CI where appropriate. Members should also add to the site relevant meetings that they know about. With this, the first day closed, and some delegates moved on to enjoy some local street food at a colourful local night market (*pasar malam*).

The whole of the second day was devoted to **broadband**.

The first presentation was given by Lih Shiun Goh of Google Singapore, who introduced [M-Lab](#) [15], an academic initiative, co-sponsored by Google, for collecting data on broadband. M-Lab can evaluate the performance of broadband providers and may be useful when looking at consumers satisfaction levels. However M-Lab needs to be further developed to reach all stakeholders and to improve usability of the data. Question time was lively. Lih Shiun was asked why India was not amongst the countries directly contributing M-Lab data, and his answer was that investment was needed to put in in the system for monitoring. However, M-Lab can still return some data on broadband quality from India, and indeed from any country in which it is not blocked. Another question related to Google and disasters: what is the future of addressing the disasters in developing countries or LDCs from Google's point of view? In answer, Google is working on this, but currently at the local level, and a more global disaster management system would be a project for the future. Will M-Lab output any kind of Watchlist on Broadband Service Providers per country? The potential exists for third parties to provide such a list based on M-Lab data. In countries that don't have heavy

competition, it is very difficult to regulate broadband.

[Internet and human rights](#) [16] was the subject of the presentation by Alan Finlay from the Association for Progressive Communications. He spoke about APC's work on Internet and human rights, and distributed some copies of the latest Global Information Society Watch on this topic. He felt that one of the challenges for the consumer movement would be on ideological issues, and that there was a cultural divide between it and the human rights movement. In question time, the view was expressed from the floor that the consumer movement is actually a part of a broader human rights movement. In this case both the movements can be integrated at global fora on Internet issues. Commonalities need to be drawn between the human right movement and consumer movement and the respective issue networks linked.

Next was a panel on CI's [Global consumer survey on broadband](#) [17]. Jeremy Malcolm opened by outlining the results of the online global consumer survey, which drew over 9000 responses. Based on this, a proposed global campaign was put together focussing on pricing and speed problems, and poor complaint handling. A three-pronged campaign would address these using a standardised disclosure statement for ISPs, a new media campaign "Don't Lock Me In!" and advocacy for the establishment of national independent dispute resolution services for Internet issues. Professor S C Sahasrabudhe, one of the editors of CI's upcoming broadband advocacy manual, gave a short background presentation about the issues.

Veridiana Alimonti, Elise Davidson and Marzena Kisielowska-Lipman then gave presentations respectively describing the results of the broadband research in the regions of the Americas, Asia-Pacific and Europe and Africa. During question time later in the day, it was asked what definition of "broadband" was used? Whilst guidance was given to respondents, it was expected that this would be answered somewhat subjectively, so we have to be cautious about comparing diverging answers across all the countries. It was correctly noted that survey contributions from the Middle East were lacking. Another comment was that the survey concentrated more on subscription and subscribers, but attention should have been given on pre and post paid connections. In Fiji, ISPs are making it difficult for consumers to get post paid connections.

Raj Kumar of ITU IMPACT spoke on [Cyber-security concerns for consumers and businesses](#) [18]. He described current global cyber attacks and threats, such as misuse of consumer information, and steps available to minimise the risks (eg. legitimate websites can be identified by up-to-date browser [software](#) [19], spam mails can be recognised by checking mail headers, and security software should be installed). IMPACT exists to enable cooperation and enhance capability. Standards should be in place in making policies and laws to ensure security. Cyber crime law and criminal laws, and telecommunications law should be revised. The role of Computer Incident Response Teams (CIRTs) was also described. During question time, the impact of global/ regional treaties of cyberlaws on developing countries and at the ground level was discussed. Raj was also asked how to improve consumers' representation in work on cyber-security, as sometimes cyber-security breaches and the response to these could have a political motivation. He invited CI to join IMPACT to address these concerns.

Next, Benjamin Lennett of the New America Foundation spoke on the [Broadband nutrition label](#) [20] concept. This was developed to ensure better disclosure of information about speed and pricing. It had been hoped that the FCC would impose a requirement to use the label in ISPs' marketing communications, but in the end this was not accepted. However, a similar instrument could be adapted for use by Consumers International in its campaign on broadband. Question time included discussion of the difficulty in defining speed, since the ISP often disclaims responsibility for speed issues and it is difficult to know where the buck should stop.

The day ended with time for [reporting back - open time for member presentations](#) [21]. Felicia Monye and Samuel Ochieng related that access issues for African countries are so different than elsewhere, and drew to our attention a clamp-down on "counterfeit" mobile phones. Maguette Fall of ADEC spoke about access to justice for telecom consumers in Senegal. Technology cities are developing in every part of the world: how can the consumer movement be addressing these situations to protect consumers? Barriers to the use of mobile banking and mobile services for communication are also very significant in the African context.

The meeting was closed by Bjarne Pedersen, CI's Global Director for Partnerships and Empowerment, who thanked the participants and wished them all a safe flight back home.



Event details **Event website:** <http://a2knetwork.org/infosoc2012> [22]

**Hosting institution:** Consumers International

**Event dates:** Thu, 08/03/2012 - 09:00 - Fri, 09/03/2012 - 18:00

**Event location:** Kuala Lumpur, Malaysia

#### Source URL:

<http://a2knetwork.org/consumers-information-society-access-fairness-and-representation>

#### Links:

- [1] <http://a2knetwork.org/fr/glossary/term/64>
- [2] [http://a2knetwork.org/sites/default/files/consumers\\_in\\_the\\_digital\\_age.pdf](http://a2knetwork.org/sites/default/files/consumers_in_the_digital_age.pdf)
- [3] <http://a2knetwork.org/infosoc2012%23consumer-ownable-downloads>
- [4] <http://a2knetwork.org/fr/glossary/term/54>
- [5] <http://a2knetwork.org/fr/glossary/term/41>
- [6] <http://a2knetwork.org/fr/glossary/term/52>
- [7] <http://a2knetwork.org/infosoc2012%23un-consumer-guidelines>
- [8] <http://a2knetwork.org/fr/glossary/term/42>
- [9] <http://a2knetwork.org/infosoc2012%23intellectual-property-abuse>
- [10] <http://a2knetwork.org/fr/glossary/term/43>
- [11] <http://a2knetwork.org/infosoc2012%23ig-and-consumers>
- [12] <http://a2knetwork.org/infosoc2012%23mapping-ig>
- [13] <http://a2knetwork.org/meetings>
- [14] <http://a2knetwork.org/videos/attend-or-add-meetings-a2knetworkorg>
- [15] <http://a2knetwork.org/infosoc2012%23m-lab>
- [16] <http://a2knetwork.org/infosoc2012%23internet-human-rights>
- [17] <http://a2knetwork.org/infosoc2012%23broadband-survey>
- [18] <http://a2knetwork.org/infosoc2012%23cyber-security>
- [19] <http://a2knetwork.org/fr/glossary/term/63>
- [20] <http://a2knetwork.org/infosoc2012%23broadband-nutrition-label>
- [21] <http://a2knetwork.org/infosoc2012%23reporting-back>
- [22] <http://a2knetwork.org/infosoc2012>