Consumers in the Information Society 2013: Rights, Justice, Connection

This year's focus is on three topics: the Trans-Pacific Partnership Agreement, the International Telecommunications Union, and the UN Guidelines for Consumer Protection. In each case, we will be asking how the eight consumer rights apply in the digital age, how we can ensure that the above instruments or institutions take account of those rights, and what else is needed to ensure justice for consumers in the information society.

Programme

Consumers in the Information Society 2013: Rights, Justice, Connection is the follow-up to last year's meeting of CI members on access to knowledge, broadband and consumer rights online, and the first such meeting since we relaunched those programmes as the priority issue area Consumers in the Digital Age.

Programme

Consumers in the Information Society 2013: Rights, Justice, Connection is the first day of a full week programme for CI members. The second and third days (26-27 February) are a meeting for discussion and collaboration on CI’s proposed amendments to the United Nations Guidelines for Consumer Protection, which are to be submitted to UNCTAD by the end of the month. The fourth and fifth days (28 February and 1 March) will be a regional meeting for CI members from the Asia-Pacific and Middle East region.

Monday 25 February 2013

8:30am Registration

9:00 Welcome by Helen McCallum, Director General of CI
### Session 1: Trans-Pacific Partnership

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<tr>
<th>Time</th>
<th>Topic</th>
<th>Presenter/Institution</th>
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<tr>
<td>9:1</td>
<td>Introduction to the Trans-Pacific Partnership Agreement</td>
<td>Jeremy Malcolm, Senior Policy Officer, CI APME</td>
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<tr>
<td>9:3</td>
<td>Competition Policy Chapter in the TPP Agreement</td>
<td>Alice Pham, Cuts Hanoi Resource Center</td>
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<td>10:00</td>
<td>Parallel importation and the Trans-Pacific Partnership Agreement</td>
<td>Luke Harrison, Consumer NZ</td>
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<td>10:30</td>
<td>Pharmaceuticals and the Trans-Pacific Partnership Agreement</td>
<td>Saree Aongsomwang, Foundation for Consumers, Thailand</td>
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<td>11:00</td>
<td>Morning tea</td>
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### Session 2: Internet governance

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<tr>
<td>12:00</td>
<td>The International Telecommunications Union and Internet governance</td>
<td>Jeremy Malcolm, CI APME</td>
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<td>12:30</td>
<td>Group discussion for future agenda and engagement plan</td>
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<td>1:00</td>
<td>Lunch</td>
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### Session 3: A, B and C

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<tr>
<td>2:30</td>
<td>A2K and intellectual property enforcement</td>
<td>Jeremy Malcolm</td>
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<td>3:00</td>
<td>Broadband Access and QoS</td>
<td>Prof S C Sahasrabudhe</td>
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<td>3:30</td>
<td>CDA amendments to the UN Guidelines</td>
<td>Jeremy Malcolm and Allan Asher</td>
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<td>4:00</td>
<td>Afternoon tea</td>
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<td>4:30</td>
<td>Overview of upcoming and proposed activities on privacy, A2K, broadband and consumer rights and representation</td>
<td>Jeremy Malcolm</td>
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<td>5:00</td>
<td>Discussion</td>
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<td>6:00</td>
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### Abstracts and biographies

**Introduction to the Trans-Pacific Partnership Agreement**

*Dr Jeremy Malcolm* is Consumers International's Senior Policy Officer coordinating its global programme Consumers in the Digital Age from CI's Asia-Pacific office in Kuala Lumpur. Jeremy graduated with degrees in Law (with Honours) and Commerce in 1995 from Murdoch University, and completed his PhD thesis at the same University in 2008 which was the first doctoral examination of the Internet Governance Forum. Jeremy's background is as an information technology and intellectual property lawyer and IT consultant with a research interest in Internet governance. He is
admitted to the bars of the Supreme Court of Western Australia (1995), High Court of Australia (1996) and Appellate Division of New York (2009).

Downloads:

- Introduction to the Trans-Pacific Partnership [8] (presentation)

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**Competition Policy Chapter in the TPP Agreement**

Competition-related provisions have become increasingly popular in recent regional trade agreements (RTAs) and free trade agreements (FTAs). The push for competition-related provisions to be included in FTAs is particularly strong in those negotiations led by the United States (US) or those agreements to which the US is a signatory party, such as the case of the Trans-Pacific Partnership (TPP) Agreement. In the case of the TPP Agreement, though little information has been leaked about the content of the chapter on competition policy and other competition-related matters of this agreement, it is being speculated by several parties that the competition policy related commitments contained in the US-Singapore FTA and the US-Korea FTA are being used as "benchmarks/points of departure" in framing the talks. This presentation, on the basis of analyzing these minimum benchmarks as well as whatever information which has been publicly available regarding the competition policy chapter of the TPP, would highlight some issues that TPP negotiating parties and/or their domestic constituencies should be concerned about, to contribute to the campaigns that CI is taking up vis-à-vis the transparency, development value and fairness of this trade agreement.

Que Anh Pham is presently Director of the Hanoi Resource Center of CUTS International. With a legal background (international private law - Vietnam, corporate and commercial law - UK), Ms. Pham has been working in various issues related to competition policy and law, consumer protection, economic regulation and investment climate for 10 years now. She has been leading the implementation of several projects of CUTS, which includes two multi-country projects on competition policy and consumer protection in South and Southeast Asia, and two Vietnam-specific projects on legislative development and capacity building on the same issues.

As the Director of CUTS Hanoi Resource Centre, she has been responsible for over four years now for the establishment and development of programmatic and organisational issues of the CUTS office in Vietnam, which is responsible for the whole Southeast Asia region. She has written and published extensively on consumer protection, competition policy, trade and investment climate, etc. and spoken at various national and international conferences.

Downloads:

- Competition policy chapter in the Trans-Pacific Partnership Agreement [9] (presentation)

(Go back up)

**Parallel Importation and the Trans-Pacific Partnership Agreement**

Luke Harrison is a writer for Consumer New Zealand, an independent, non-profit organisation established in 1959. Luke writes articles on a range of consumer products and services for the organisation's monthly magazine. He’s also involved in the organisation's campaign work.

Downloads:

- Parallel importing and the TPP [10] (presentation)
Pharmaceuticals and the Trans-Pacific Partnership Agreement

_Saree Aongsomwang_ is a leading consumer activist in Thailand, who is widely acknowledged by the Thai public as the lady fighter, whom will always stand side by side with all Thai consumers in every situation. For the past decades, she has been working continuously to escalate the power of Thai consumer’s rights in Thailand, and to create awareness in consumer’s rights to all Thai citizens, in the hopes for them to ensure their rights as a citizen with the slogan; “one is infinitely greater than zero”. Throughout her career, she has accomplished many aims which bolster the consumer’s movement in Thailand, such as ending the privatization of Electricity Generating Authority of Thailand (EGAT), the accomplishment together with networks in pushing the legislation of the universal coverage of health care services law, known as the UC 2545 Act.

Currently, she is the Secretary General of the Foundation for Consumers, Thailand and also a Council Member of Consumers International.

Downloads:


Protection des consommateurs des services des TIC (Protection of consumers of ICT services)

La protection du consommateur dans les télécommunications a connu une nette évolution grâce aux efforts consentis par différents acteurs de la société civile dont le Réseau Africain des Consommateurs des TIC (RéCATIC). L’adoption de la Résolution 64 par l’UIT lors de la Conférence Mondiale de Développement des Télécommunications d’Hyderabad en 2010 vient en outre en appui à ces efforts et constitue une base juridique sur laquelle les organisations de consommateurs doivent se fonder pour travailler afin d’accroître l’effectivité de la protection du consommateur dans le domaine des télécommunications. A cet effet, Consumers International (CI) doit jouer un rôle particulier grâce à un partenariat formel avec l’Union Internationale des Télécommunications (UIT).

A travers la présente communication, nous essaierons de découvrir CI et l’UIT ainsi que les éventuelles pistes de collaboration sur la question de la protection du consommateur au regard de la Résolution 64.

Downloads:

- [Engaging with the ITU on consumer protection issues](#) [12] (presentation)

The International Telecommunications Union and Internet governance

Last year’s ITU WCIT conference inflamed the community’s fears of the extension of intergovernmental control over the Internet. Whilst this fear was legitimate, an over-emphasis on the ITU can obscure the fact that the Internet is already controlled in undemocratic ways – often by governments, through both national and global processes, but also by corporate interests. It also obscures the fact that government action is sometimes necessary to uphold the rights of Internet users, just as government inaction can sometimes support their freedoms.

This is no less true at the global level than at the national level. Therefore, there are some areas in
which developing globally-applicable principles for the governance of the Internet could be valuable and important. Despite popular belief, we do not have a network of global multi-stakeholder processes or institutions that adequately cover all of the important public policy areas in which such global principles could be useful. However, with the convening of a new CSTD Working Group on Enhanced Cooperation, we now have the opportunity to fill that gap.

To date, civil society has been very reluctant to participate in the development of such a positive agenda for the evolution of Internet governance arrangements. But if we do not, either the status quo will prevail or less democratic and multi-stakeholder alternatives (such as the ITU) will come to the fore. This paper suggests one possible format for operationalising the enhanced cooperation mandate from WSIS, based around consociation or consensus democracy, but concludes with the principal message that regardless of the precise format adopted, civil society should take this as a serious opportunity to develop a more formal institutional platform for the protection of the rights and freedoms of Internet users.

Downloads:

- Internet Freedom in a World of States [13] (presentation)
- Internet Freedom in a World of States [14] (paper)

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**Broadband Access and QoS**

*Professor S C Sahahsrabudhe* is Director of Dhirubhai Ambani Institute of Information and Communication Technology (DA-IICT) in Gandhinagar, and Director of GTL Limited, Bombay. He is also a member of the governing body of the Consumer Education & Research Society, recently working on Consumers International's project "Holding Broadband Service Providers to Account". He has a Ph.D in Communication/ Signal Processing from Leningrad University of the former USSR, and his fields of interest include communications, signal and image processing, microprocessor applications and expert systems. He has published widely, supervised over 12 theses, and received several awards. He is a fellow of the IEEE and of the IETE.

Downloads:

- Broadband access and QoS [15] (presentation)

(Go back up)

**A2K and intellectual property enforcement**

The enforcement of intellectual property rights is a major priority for developed countries, both in their domestic policies and in their approach to multilateral trade negotiations. The United States in particular is known for strongly advocating for punitive penalties for copyright [16] infringement, which have resulted in ruinously high damages awards for non-commercial infringement. Other countries are being encouraged to adopt similar laws and Malaysia is amongst those that have acceded to this.

In parallel to the expansion of civil damages awards, intellectual property infringement is increasingly being characterised as a criminal offence, with the result that enforcement resources are being diverted from the private to the public purse. The privatisation of penal enforcement through intermediaries such as Internet Service Providers is especially concerning.

The over-zealous enforcement of patent [17] rights by customs authorities has also placed lives at risk. The prospect of such laws becoming mainstream was one of the factors that led to an overwhelming revolt against a planned Anti-Counterfeiting Trade Agreement, and its consequent
rejection by the European Parliament, mirroring the rejection of the SOPA and PIPA copyright laws in the United States.

This presentation asserts that although copyright and patent infringement are wrong, the detriments that these activities pose to consumers are now far outweighed by the dangers of overly strict enforcement of copyright and patent laws. Governments have been too ready to serve rights-holder special interest groups, and that it is incumbent upon consumer groups to lead the charge for reform, to ensure a better balance between consumer and rights-holder interests.

Downloads:

- A2K and intellectual property enforcement [18] (presentation)
- How IPR enforcement is undermining consumer sovereignty [19] (paper)

CDA Amendments to the UN Guidelines

Downloads:

- Latest developments in CI's campaign to update the UN Guidelines for the digital age [20] (presentation)
- Draft of the UN Guidelines amendments as at February 2013 [21] (PDF document)

Overview of upcoming and proposed activities on privacy, A2K, broadband and consumer rights and representation

Downloads:

- Consumers in the Digital Age annual workplan for 2013 [22] (presentation)

Registration

To register, please download, complete and return this registration form [23] to the address specified in the form.

For those whose travel costs are supported by CI, we will have notified you of this already. For others, the cost for one person’s room and conference package is 7000 rupees per night which includes breakfast for one person and complimentary airport transfer. If you are not staying at the conference hotel, the seminar costs alone are 1100 rupees (per day, per person).

Venue

The conference will be held at the five-star Crowne Plaza New Delhi Rohini Hotel [24], in New Delhi [25], India [26]. A short taxi ride away are attractions such as Adventure Island Rohini [27]
and shopping malls such as City Centre Mall [28], whereas the famous sights of Delhi such as the Red Fort, Humayun's tomb and the Qutub complex are only a little further afield.

With 183 comfortable rooms equipped with modern facilities, the hotel also has a relaxation spa, Adya that specializes in European and Asian therapies and comprises of therapy rooms, a unisex salon, a well-equipped gym and an outdoor swimming pool.

February is one of the best times to visit New Delhi, with mild temperatures in the 20-30°C range (68-86°F). English is widely spoken and the city is well connected with public transport. For those staying on longer, Delhi is a good point from which to take a day or overnight trip to the Taj Mahal.

Sponsors

This meeting is very generously partly-supported by our sponsors the Ford Foundation [29], the Open Society Foundations [30] and IDRC/CRDI [31].

Attachment

Size
Registration form [23] 106 KB

- a2k
- broadband
- consumer rights
- UN Guidelines

Source URL: http://a2knetwork.org/infosoc2013

Links:
Consumers International (CI) is the only independent global campaigning voice for consumers. With over 220 member organisations in 115 countries, we are building a powerful international consumer movement to help protect and empower consumers everywhere. For more information, visit www.consumersinternational.org.