CI statement to UNCTAD on e-commerce and the UN Guidelines

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- UN Guidelines [1]

Updating the UN Guidelines for the Digital Age would like to thank the distinguished representative from the Seychelles and Mr Avery from the OECD for their remarks about e-commerce, both of which we fully support. However, in accordance with the remarks made earlier by Consumers International's Head of Delegation, we are concerned that the scope of the work on revision of the Guidelines should not be too narrow, as there are many issues that effect the interests of consumers in the digital age that go beyond the existing instruments on e-commerce that have been developed by the OECD.

In particular we cannot rely on the OECD's 1999 recommendation as covering the field, as although it is excellent, it was developed by a small group of developed countries, and is in some cases outdated. Whilst as Mr Avery explained work is continuing at the OECD, and CI [2] is participating in that work, we should not overlook the work that CI has also done, amongst its membership of 240 consumer rights groups.

In this context we have over the last three years developed a very detailed proposal for review of the Guidelines covering all areas, including areas like data protection, which delegations such as Germany, Malaysia and the Philippines have urged that we should cover, and other areas such as protection of digital consumers, to make sure that consumers of analogue and digital products are treated equally. I would refer the delegates to Consumer's International's proposal, which has a red coloured heading, as well as to the summary of that which is just two pages. We also have a blue book with research justifying a broader review of the guidelines to update the Guidelines for the digital age. For delegates who haven't obtained a copy of these, we would be happy to send them an electronic copy.

In summary we fully agree with those such as the distinguished representative from Chile who have argued that e-commerce and financial services should not be the only areas covered, nor should they be covered in a narrow way. In response to the proposition from the United States that the issue of data protection is being dealt with elsewhere, most of the issues in the Guidelines are also dealt with in other fora, such as food, water, pharmaceuticals and so on. But the UN Guidelines deal with the impact of these issue areas on consumer policy, they do so at a global level, and they do so as a non-binding instrument. In that sense, the Guidelines are unique, and we should not shy away from including all areas of consumer policy including data protection and digital consumption, as well as e-commerce in the narrow sense.

These were issues discussed in depth at a global meeting that we held in New Delhi in February this year, to which we invited the UNCTAD Secretariat, but which invitation was not taken up. Nonetheless we look forward to participating actively from this point forward as one of the three named stakeholders along with the International Consumer Protection and Enforcement Network and the OECD with whom bilateral consultations have already been conducted. We place ourselves and our members at your service and we thank you Madame Chair for this opportunity to speak.