Holding Broadband Service Providers to Account

Reports on national broadband campaigns 2012-2013

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BRAZIL

Based upon the Brazilian results of the first phase of the project Holding Broadband Providers to Account and on the suggestions for follow up sent by Consumers International, we decided to dedicate ourselves to a campaign for the adoption of the “Broadband Nutrition Label”.

The decision was due to two main reasons. First, due to serious violations of the right to information in the practices of the providers which operate in Brazil, especially regarding their offers and customer service. Thus, the label would be an appealing way to oppose this persistent bad conduct of the companies and could be supported by the consumer defense governmental organization, by the Brazilian regulatory agency of the sector – Anatel, by consumers in general, and, why not, by the very companies themselves.

The second reason is that the regulatory framework that Brazil has in place right now is quite compatible with this idea. At the end of 2012, minimum standards and average speed variation started to be required from both fixed and mobile broadband providers. Even so, most of the offerings still do not highlight the existence or the proportion of this variation. The introduction of a “label” would give due importance to this datum, defining an objective standard for its format.

Nonetheless, the issue of speed variation has not reached a consensus among the various consumer advocacy entities in Brazil. Although Anatel regulations have advanced regarding the previous practice of providers in which they guaranteed only 10% of the speed contracted, the mandatory standards defined by the agency were modest,¹ which disappointed most of these entities.

In this regard, and considering that the Consumer Defense and Protection Code (Federal Act nº 8.078/1990) guarantees proportional price discounts for reiterated poor service levels, there is not a consensus on whether or not informing the consumer that the speed varies is enough. Likewise, other practices may be considered problematic even when they are informed, such as the management of traffic geared by commercial interests of the company.

For these reasons, we decided that the best path would be promoting a discussion about the standardization of the information and of the offer in broadband packages, bearing evidence of the abusive practice of the companies. The activities would encompass the format of the label, but no campaign to advertise the adoption of the label would be conducted yet. Based on these guidelines, we describe below the activities performed.

(i) Adapting the label

One activity which was needed was translating and adapting the label proposed by the Consumers International. In addition to translating to Portuguese, we changed the information to adapt it to Anatel standards and we highlighted the data of interest to the Brazilian consumer.

Therefore, regarding the speed variation rule, we used the minimum and average parameters of the quality regulation defined by the regulatory agency as the basis. Although the companies may promise more in their advertisements, they shall disclose at least the minimum regulated amounts.

Also, aiming to adjust to the regulatory agency standards, we changed the text which addresses the discount in the monthly subscription of the service in the case of interruption or non-compliance with the minimum parameters informed. As for the loyalty program, instead of

¹ According to the quality regulations, up to November 2013, the internet provider shall guarantee a minimum of 20% and monthly average of 60% of the speed purchased. As of December 2013 until November 2014, the minimum will go up to 30% and the average to 70%. Finally, after November 2014, the minimum required will be 40% and the monthly average 80% of the capacity purchased.
presenting the conditions, we inserted a red warning mentioning that this practice is not allowed in the fixed broadband services, according to Anatel regulations.

As for privacy clauses, we sought to adhere to the best practices as much as possible. Therefore, in the item “data sharing” we changed the text to inform that personal data collected shall not be transferred to third parties and shall only be shared with the companies from the Group upon authorization given by the consumer through a specific link, according to the opt-in practice.

We present below the basic and extended versions of the label in Portuguese.

Basic Version

Extended Version

(ii) Advocacy vis-à-vis the authorities

To open the discussion about adopting a label or, at least, creating standards to present the information about the service packages in the offerings, we contacted different players.
At the end of 2011, we introduced a proposal during a presentation delivered at the Committee for the Defense of the Users of Telecommunication Services (CDUST) of Anatel\(^2\), a forum where Idec holds a seat. The presentation addressed Idec’s research about the mobile broadband packages of the four main operators in Brazil and several problems related to information were identified, especially regarding speed variation, speed reduction after the end of the grace period and use restrictions of the packages.

Once the presentation was concluded, we started to discuss the label proposal and the importance of the CDUST presenting more detailed alternatives for standardization of the service offerings. Our aim was to consolidate and put forward a formal position and recommendation to the Anatel Board, since the Committee is an advisory branch of the agency’s Board of Directors. No final position was defined; however, the commitment of developing a more profound discussion in future meetings was set. The first meeting of 2013 will be held at the end of March.

Still in 2011 we established contact with the National Department for the Consumer, an organization connected to the Ministry of Justice, addressing the proposal of a label. However, a meeting with the team of General Coordination of Market Studies and Monitoring was only made possible in February 2013. The results of the meeting were very positive and the idea of the label was aligned with the objectives of the work they were already developing on the improvement of the right to information of services.

During the conversation, we discussed whether we should adopt a closed label model or whether it would be better to establish guidelines and standards for the offers with no pre-determined layout. We also suggested that this idea should be extended to other telecommunication services, in which many of these problems related to information are also prevalent. According to the discussion, the team made a commitment to incorporate the label evaluation, or the guidelines for the standardization of service offerings, into their ongoing work, maintaining contact with Idec on future developments.

Finally, we also presented a proposal on the label to São Paulo Procon Foundation, a State organization which receives and resolves consumers’ complaints.

They are one of the main critics of broadband quality regulation by Anatel, and they contend that the variation allowed by the agency is abusive and that simply being informed of it is not enough. In this case, we are still developing an initial dialogue, but we were informed that the organization will hold an internal meeting to evaluate the proposal and we will be consulted after this meeting.

\(\text{iii) Public awareness of the matter}\)

In parallel to the above mentioned contacts and meetings, we have developed activities to raise broader awareness vis-à-vis the public.

At the end of January 2013, we published an article in a website oriented to the legal community, addressing the problems of the right to information in telecommunication services, especially in broadband packages. In this article, we mention the results of the mobile broadband research and we pose the need of establishing more organized standards regarding the offer of these services, thereby facilitating the evaluation of the information and the comparison between packages.

Additionally, we reproduced Consumers International's idea of creating a fake profile of a broadband provider on Facebook, using some posts already created by CI and others created

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2 CDUST is comprised of representatives of consumer defense civil organizations; representatives of telecommunication companies and user providers; representatives of governmental organizations (Ministry of Communications, National Department for the Consumer linked to the Ministry of Justice, Special Department for Human Rights, National Agency of Telecommunications, among which one of their 5 directors). At that time, the representative of the telecommunication companies seemed to be open to the idea.
locally by ourselves. The profile was launched in February 5, 2013, close to the Carnival holidays, so we decided to play with the announcements posted and the special commemorative date. Together with the launching, we aired a special edition of Idec\(^3\) website explaining the parody, presenting the two versions of the label and informing that the action is part of the project initiated by Consumers International. As with the iStall website created by CI, the website of the company promoting its profile on Facebook is redirected to this special website by Idec.

We named the provider RelaxNet, since iStall does not make much sense in Portuguese. Once named, we decided to play with the idea that the consumers can relax and trust the provider, that it will select the most important information for them and that there is no need to check and compare. The provider also advocates a more relaxed behavior due to the fact that their connection is not fast, which must be seen as a positive aspect, since it is not good to live in such a rush. By the way, this is what a Brazilian proverb teaches “haste is the enemy of perfection”.

Below we translate the text introducing RelaxNet profile on Facebook, which can be accessed through the link http://www.facebook.com/Relaxnet:

**About Relaxnet**

**Mission**
We choose what makes you happy. Why bother with undesirable details of Relaxnet service packages? If you really want it, we can send our contractual compendium upon the payment of mail fees (It is too big to be sent by email). But, above all we want you to relax, and our connection will also help you to do that.

**Description**
Haste is the enemy of perfection! That is why RelaxNet services are rendered in the smoothest way possible. The clients who are patient will enjoy our best services. So far, no one really enjoyed it as it should be... be the first one!

When we launched it, we did not inform the public that the company profile was an Idec initiative. The only way to discover this connection would be by accessing the provider’s website. However, at the end of February, we revealed it by publishing a note in Idec’s homepage, and also by disclosing the initiative on a newsletter and on the Facebook profile of the organization. The results were very positive.

"O Globo", a large newspaper in Brazil, which also has an online news portal, shared the RelaxNet page on their profile on Facebook and published a note in their online version about the initiative, mentioning that the idea came from the Consumers International project with a link to an article at Idec’s magazine from 2012, addressing the research related to the first phase of the project. The images below depict what we just described:

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Note at O Globo website [http://glo.bo/YbJAmy]

Headline:
Idec creates an ironic page on Facebook about the problems with broadband services

Lead Paragraph
Fictitious company, RelaxNet, highlights the most common cases of telecommunication providers disrupting consumers’ lives

Note sharing at O Globo newspaper page on Facebook
Translation of the Header:
100 MBPS:
No Combos, No Limits, No Hidden Costs.
Your most “reliable” choice for broadband connection.
*actual average speed of 10 MBPS ** 10 summary pages of the service conditions upon request.

Posts

(Adaptation of the CI post)
Translation:
A very simple Contract. Only ten pages in very small print.
Relaxnet: Fall for this network
Translation:
Promotion: Connected Carnival –
Download any file on FRIDAY
and we guarantee it will be ready by WEDNESDAY. Relaxnet - fall for this network
(Note: in Brazil, in the great majority of the country, Carnival holidays go from Monday to Wednesday, so people usually start to celebrate in the previous Friday and stretch until Wednesday).
Translation:
Network user why are you so sad?
What happened to you?
Was it the Internet that crashed again?
Come to Relaxnet!
The connection that oscillates, but never crashes.

(Note: Parody to the popular Carnival song Jardineira by Orlando Silva)
(Adaptation of the CI post)

Translation:
Package Superfast 2.0
Don’t bother with the figures
Just think how fast this name sounds
(Adaptation of CI post)  
Translation:  
Our package includes everything you need.  
And also what is dispensable.
(Adaptation of CI post)
Translation:
It doesn’t matter which broadband provider you have.
Another user
Relaxnet User
Subscribe Now! Our 2-year contract comes with a rascal smile.
Translation:
Do you know when the video crashes right in the most exciting part?
Oh this is our charm!
After all, haste doesn’t go with suspense.
Relaxnet: Fall for this network.
Translation:
Do you want just a broadband without a fixed line phone?
Ok, we let you hire without knowing that the phone comes with the package. It is our gift for you!
Translation:
Haste is the enemy of Perfection! So don’t buy anything out of impulse. If the connection fails while you are making the payment, take it as a second chance to your pocket.
Translation:
We adopted the philosophy of less is more:
Less signal
Less information
Less speed
Less service

Relaxnet Fall for this network

Final Considerations

As we tried to show here, first of all we wished to initiate a debate, with the public and with partner entities and authorities, before conducting a campaign for the adoption of the label. With the meetings and the experience with the fake profile of the RelaxNet provider, we identified a positive response to the introduction of measures to standardize the most relevant information in broadband package offerings. We believe that even without a consensus about the label there is room for taking concrete actions to establish guidelines regarding the advertisement of packages on providers' websites, and even in their stores.

Shortly before the conclusion of this report, we launched a survey within the profile of RelaxNet on Facebook. The survey asked if the users, when interested or when purchasing a mobile broadband package, were correctly informed about the reduction of speed or the additional
charges they incurred after reaching the amount of data transfer promised. The aim of the survey was creating traffic towards the page and collecting data that may be used later.

We intend, therefore, to continue with the dialogues initiated and advance the measures so far developed in the campaign, taking advantage of the interest that we have already generated within the network.

Kenya

Theme: Broadband Disclosure Statement.

Activities

Upon receipt of the Broadband Manual, early September 2012, we had a meeting to brief our regional coordinators on the objectives of the second phase of the project. These are the same people who coordinated the online surveys and the face to face interviews during the survey in the first phase of ‘Holding Broadband Internet Service Providers to Account’.

We were able to give the 4 regional coordinators (from Coast region, Nyanza Central and Nairobi) the manual and later other materials like the postcards, and a sample of the Broadband Disclosure Statement. We downloaded and printed several copies of the manual and the other material for our members involved in the project. We targeted cybercafés, homes and offices.

KCO gave the various digital consumers samples of postcards and label showing speed variation, reliability and pricing from various ISPs. They received the idea of a disclosure statement with enthusiasm and were positive that they will be able to pick a provider from a point of knowledge after comparing with other providers. They are in total support of the implementation of the same and look forward to getting value for their money and for the cyber operators, less complaints from their clients.

We distributed the posters on ‘What you should know about your ISP?’ and a sample of a ‘Broadband Disclosure Statement’.

Multi stakeholder workshop

In October 2012, we made a presentation at a Multi stakeholder workshop. This was an ITU 5 day workshop ie the 29th Quality of Service Development Group QSDQ meeting in Nairobi. The workshops main objective was Quality of Service and Quality of Experience. The workshop organized by Communications Commission of Kenya (CCK) and South African Telecommunications Association (SATA) brought together Providers, Regulators and Consumer organizations from the region, continent and globally.

KCO which was the only consumer organization present made a presentation on the expectations of the Kenyan digital consumer and took the opportunity to introduce the Broadband Nutrition label. We shared the findings of the Survey in Phase 1 of 'Holding Broadband Internet Service Providers to Account' and the need to address those issues identified therein. We explained the motivations for the development of a Broadband Disclosure Statement as a way of improving communications to consumers and comparability between ISPs and sought their commitment to support its adoption.

However, our follow up with the individual providers on the same was not well received and this did not surprise KCO. Further, only two providers attended this important meeting namely, Safaricom and Airtel. Access Kenya and Orange who provide internet to most corporate organizations and homes were not in attendance.

Lessons Learnt

From our assessment of the Kenyan situation, corporate organizations are more likely to listen to a regulator than a consumer organization. It is for this reason that we approached CCK officially to push the agenda of the Broadband Disclosure Statement to be adopted as a mandatory part of
their regulation of the industry. Our visit to the CCK Director General bore fruit and they have promised to incorporate KCO/CI,s recommendations in their regulations. In their reply to our request they are carrying out their own survey on Broadband in the country 2013/4 and we are positive that the consumers will eventually be able to compare the different services and prices offered by the different ISPs and consequently get value for their money.

**Pilot Phase Extension?**

Although the matter is not concluded in the Kenyan situation, Kenya Consumers' organization will follow up the implementation with CCK and will then be able to report to Consumers International.

CCK has expressed their willingness to listen to the consumer views and KCO believes this will be no exception.

In the meantime I believe we need to maintain communication with the consumers in order to keep them abreast of what is going on as we wait for implementation of the recommendations. So to some extent we can only close the project when we get the desired outcomes.

**Senegal**

(In French – a rough English translation follows below.)

I. Introduction

L'objet du présent rapport est de rendre compte, à l’issue du démarrage de la phase 2, le planning et les modalités de mise en œuvre des activités envisagées. Eu égard à la longue négociation de l'indispensable collaboration de l'autorité nationale chargée de la régulation du secteur concerné, la mise à jour de la programmation du projet s’est imposée, pour sa conformité aux termes de référence.

En effet depuis la proposition de sa thématique, motivée par les résultats de l’enquête sur les services et la réglementation de l’Internet à haut débit au Sénégal, l’ADEC s’est activée à la mobilisation du partenariat pouvant l’accompagner vers l’atteinte des objectifs ainsi poursuivis.

La phase 2 du projet “Holding Broadland Service Providers to account” au Sénégal a pour objet de promouvoir la prise en compte des droits et intérêts du consommateur par les intervenants du secteur des télécommunications, notamment l’accès universel à l’Internet haut débit.

Il vise en priorité à constituer un réseau organisé, animé par des acteurs motivés et formés, en accompagnant ceux-ci dans leurs démarches pour l’équitabilité.

D’un point de vue général, l’articulation du projet à la participation des consommateurs à la régulation sera concentrée sur :

La formulation d’outils de régulation participative face aux défis à relever par l’autorité de régulation, non seulement vis à vis de son statut, mais aussi des enjeux liées à l’exécution de sa mission de service public.

Le principe d’intervention principal est basé sur :

- la formalisation d’une approche qualité, c’est à dire la définition d’indicateurs mesurables devant permettre d’une part de normaliser le dialogue entre fournisseurs d’accès et utilisateurs, mais aussi à fixer des objectifs réalistes d’augmentation qualitative ;
- Une approche pragmatique des préoccupations identifiées.

Ainsi la participation des consommateurs à la régulation pourra s’appuyer sur ces résultats pour son efficacité.
La phase 2 du projet est structurée en 3 composantes dont :

- La mobilisation des consommateurs pour l’appropriation de la régulation du secteur des télécommunications ;
- La gestion extra judiciaire des réclamations de consommateurs ;
- Le renforcement du rôle et de la place des consommateurs dans la régulation.

II. Contexte

Le Sénégal s’est développé, ces dernières années plus que tout autre pays d’Afrique subsaharienne, dans le domaine des télécommunications. La SONATEL a construit un réseau téléphonique de haute technologie, couvrant l’ensemble du territoire du Sénégal, entièrement numérique et constitué d’un important maillage de fibre optique. Sur le plan international, le Sénégal dispose de liaisons téléphoniques directes, utilisant la transmission par satellite et par câbles sous-marins. Le taux de pénétration Internet et de cellulaire est très élevé et les transactions électroniques bien vulgarisées.

Avec les avancées ainsi réalisées dans le secteur des télécommunications depuis la privatisation de la SONATEL et la libéralisation progressive du secteur, le Sénégal offre un environnement propice à une meilleure accessibilité aux télécommunications. Seulement d’aussi importantes mutations dans la gestion et la réglementation d’un service traditionnellement public ainsi que les technologies qu’il utilise, ne peuvent ne pas affecter le prix, la qualité et la fiabilité de ces services, leur accès, et donc les droits les plus fondamentaux des consommateurs. D’où la nécessité d’une régulation indépendante, comprise par l’Etat qui a mis en place l’Agence de Régulation des Télécommunications. Ce qui traduit ainsi sa présence dans le secteur par une modification de ses formes d’intervention. Une telle nouvelle donne implique de la part de l’État un double effort :

- apprendre à se plier, en tant qu’actionnaire, aux règles d’une concurrence équitable ;
- garantir le bon accomplissement des missions de service public.

Au regard de tels enjeux, l’implication des consommateurs, aux côtés de l’Etat, s’avère opportune. En effet, quelle que soit la façon de voir le problème les consommateurs en sont au centre au nom des principes du service public (universalité, égalité, solidarité, adaptation, productivité) envisageable, par : une qualité optimale, l’accès équitable, la fiabilité des facturations, l’assouplement des modes de paiement, le traitement des plaintes et réclamations, la concurrence loyale……

III. Justification

Au regard de ce qui précède et surtout des enjeux techniques, économiques et sociaux que présente l’ouverture totale à la concurrence du secteur des télécommunications, la consultation des consommateurs par l’ARTP est incontournable pour les décisions consensuelles permettant la définition d’orientations, d’objectifs stratégiques et des règles adaptées au contexte concurrentiel du secteur. Toutefois, malgré l’habilitation des consommateurs à assister aux activités de l’ARTP, la qualité de cette participation dépend d’un certain nombre de pré requis dont notamment la compétence de leurs représentants. L’ignorance du rôle de l’ARTP par la quasi totalité des consommateurs, telle que ressortie par l’enquête de la première phase du projet, conforte une telle nécessité. En effet, les consommateurs interrogés, à l’occasion, sont peu au courant du dispositif national de régulation des télécommunications et son organe d’exécution, pourtant en place depuis plus d’une décennie. Le niveau de sensibilisation et de compréhension de même que d’intérêt est très bas. Seules 6% des personnes interrogées affirment être au courant de son rôle. Ce qui laisse présumer que par manque d’information, de formation ou de moyens, les associations de consommateurs n’assument point leur mission d’interface entre l’ARTP et les usagers des télécommunications.
Ainsi, de par ses objectifs finaux, le projet “Holding broadband service providers to account” Etude sur les fournisseurs de compte haut débit, initié par Consumers International (Organisation Internationale des Consommateurs) en partenariat avec la Fondation Ford, pourrait contribuer à la satisfaction de cette condition.


Au Sénégal, la coordination des activités dudit projet est confiée à l’ADEC (Association pour la Défense de l’Environnement et des Consommateurs) membre de Consumers International. La planification et l’exécution des activités y sont assurées les organisations de son cadre d’affiliation : le CROCS.

La première phase de cette mission visait principalement à recueillir des données générales sur les points de vue et les opinions des professionnels et usagers de l’Internet à haut débit au Sénégal. Elle s’est déroulée en trois temps, dont une phase de collecte d’informations auprès de cinq catégories de cible : usagers – consommateurs ; étudiants ; exploitants de cyber café ; fournisseurs d’accès et Service public des télécommunications, une autre d’exploitation des données et une dernière de redressement, en focus group, pour corriger les biais d’échantillonnage observés, après analyse des premiers résultats.

A l’issue de la validation des résultats, lors de la rencontre à Kuala Lumpur, Malaisie les 8 et 9 Mars 2012, l’ADEC a choisi, de consacrer la deuxième phase, à une campagne autour de la régulation au Sénégal.

IV. Objectifs

a. Objectif général

Contribuer à l’efficacité de la participation des consommateurs - usagers à la régulation des télécommunications au Sénégal.

b. Objectif spécifique

Créer les conditions d’une contribution efficace des usagers consommateurs aux concertations de l’ARTP, à travers :

- Une tournée nationale d’information et de sensibilisation sur la régulation des télécommunications ;
- L’organisation d’un atelier de renforcement de capacités des représentants d’usagers ;
- Un partenariat en faveur de la promotion des droits du consommateur.

V. Résultats attendus

- L’efficacité de la participation, des usagers - consommateurs à la régulation des télécommunications, acquise ;
- Relais communautaires, d’animation de groupes de discussion autour des droits des consommateurs et les services du secteur des télécommunications, formés ;
- Banque de données, régulièrement mise à jour, sur les impacts des services de télécommunication aux consommateurs, constituée ;
- Lois sur les télécommunications et leur régulation ainsi que les documents de contrat et les factures, traduits en langues nationales et diffusés ;
- Des sessions de formation périodiques de renforcement de capacité, avec l'appui technique des prestataires, de l'ARTP et d'autres partenaires du secteur, au profit des représentants des consommateurs, organisées ;
- Des émissions et articles par les médias communautaires sur le secteur, produits et diffusés ;
- Un dispositif d'information, de conseils et d'enregistrement des réclamations de consommateurs, appuyé par des antennes régionales, mis en place ;
- Tests comparatifs des produits et services des différents prestataires, effectués ;
- Entre autres ;

VI. Activités de démarrage

a) Information et offre de partenariat aux acteurs et autorités du secteur (voir copies de correspondances et fiches de transmission en annexe)

b) Négociation des modalités de collaboration avec l'Autorité de Régulation des Télécommunications et Postes (ARTP)

La mise en œuvre de cette deuxième phase du projet, va se faire en étroite collaboration avec l'ARTP, chargée de la régulation du secteur au Sénégal. A cet effet, demande a été faite à l'ADEC de formuler la proposition d'axes de partenariat (ci-joint). Cette volonté d'une collaboration s'est illustrée par l'organisation par les deux parties d'une rencontre regroupant les 14 associations de consommateurs, à l'occasion de la célébration de Journée Mondiale des Consommateurs du 15 Mars 2013.

(English translation follows.)

I. Introduction

This is to report following our commencement of phase 2, on the schedule and procedures for implementation of the planned activities. The lengthy negotiations with the national authority responsible for regulating the sector concerned, whose collaboration will be indispensable, imposed the need to update our program for compliance with the terms of reference of the project.

Indeed, since the proposal of the theme of the project, motivated by the results of the investigation into services and the regulation of broadband Internet in Senegal, ADEC has enabled the mobilization of support for the partnership to ensure that its objectives may be prosecuted.

Phase 2 of the project "Holding Broadland Service Providers to account" in Senegal is to promote the recognition of the rights and interests of consumers by stakeholders in the telecommunications industry for including universal broadband Internet access.

It aims primarily to provide an organized campaign, led by motivated and trained players, accompanying them in their efforts for fairness.

From a general point of view, the joint project with the participation of consumers in the regulation will focus on:

- The formulation of participatory tools to face regulatory challenges for the regulator, not only with respect to its status, but also issues related to the implementation of its public service mission.

The approach to be taken in pursuing this objective is based on:
• the formalization of a quality approach, ie the definition of measurable indicators to allow on the one hand to normalize dialogue between users and access providers, but also to set realistic goals for qualitative growth;
• A pragmatic approach to identified concerns.

And consumer participation in the regulation will be based on these results for its effectiveness.

Phase 2 of the project is divided into three components including:

• Mobilizing consumers ownership of the regulation of the telecommunications industry;
• The extra judicial management of consumer complaints;
• Strengthening the role and place of the consumer in control.

II. Background

Senegal has developed in recent years more than any other country in sub-Saharan Africa in the field of telecommunications. Sonatel built a high-tech telephone network covering the entire territory of Senegal, fully digital and consisting of a large network of optical fiber. At the international level, Senegal has direct telephone connections using satellite and submarine cables. The Internet penetration rate and cellphone ownership is very high and electronic transactions are well popularized.

With the advances made in the telecommunications sector since the privatization of Sonatel and the gradual liberalization of the sector, Senegal offers an environment conducive to better accessibility of telecommunications. Just as important, changes in the management and regulation of traditionally public technologies cannot negatively affect the price, quality and reliability of these services, access, or other most basic consumer rights. Hence the need for an independent regulation by the State, which has implemented this through the Telecommunications Regulatory Agency. Its presence in the area is reflected through various forms of intervention.

This new deal means a double effort on the part of the State:

• flexible application of the rules of fair competition;
• ensuring the fulfillment of its public service mission.

Given these challenges, the involvement of consumers, alongside the State proves timely. Indeed, regardless of the way we see the problem, consumers are central to the fulfillment of public service principles (universality, equality, solidarity, adaptation, productivity), by demanding optimum quality, equitable access, reliability billings, easing payment methods, handling complaints and claims, fair competition and so on.

III. Justification

In view of the foregoing and especially the technical, economic and social issues that present the full opening to competition in the telecommunications industry, consumer consultation by the ARTP is essential for consensual decisions to the definition of policies, strategic objectives and rules adapted to the competitive environment in the sector. However, despite the empowerment of consumers to attend the activities of the ARTP, the quality of this participation depends on a number of prerequisites including the competence of their representatives. The ignorance of the role of ARTP by almost all consumers, as emerged from the investigation of the first phase of the project reinforces this need. Indeed, the consumers surveyed, on occasion, are not aware of the national system of regulation of telecommunications and its implementing body, although it has been in place for over a decade. The level of awareness and understanding as well as interest is very low. Only 6% of respondents said they were aware of its role. Which suggests that a lack of information, training or resources, and the need for better development of the interface between the ARTP and telecommunications users.

Thus, by its final objectives, the project study "Holding Broadband Service providers to account" on broadband providers account, initiated by Consumers International in partnership with the
Ford Foundation, could contribute to the satisfaction of this condition.

For the protection and promotion of universal access to broadband Internet, contributing directly to the achievement of all the Millennium Development Goals systematically converged with the UN Guiding Principles for Consumer Protection, the project meets the skill needs required by consumers for the effectiveness of their interventions.

In Senegal, the coordination of the project is entrusted to the ADEC (Association for the Defense of the Environment and Consumers) member of Consumers International. Planning and implementation activities are carried out by organizations in its affiliate framework: CROCS.

The first phase of this mission was primarily to gather general information about the views and opinions of professionals and users of broadband Internet in Senegal. It was conducted in three phases, one phase of information collection from five categories of target: users - consumers, students, cyber cafe operators, access and public telecommunications service providers, other operating data and a final recovery in focus groups, to correct sampling bias observed after analysis of the first results.

Following the validation of the results at the meeting in Kuala Lumpur, Malaysia on 8 and 9 March 2012, ADEC has chosen to dedicate the second phase of a campaign around the regulation in Senegal.

IV. Objectives

a. General Purpose

Contribute to the effectiveness of consumer participation in the regulation of telecommunications in Senegal.

b. Specific Objective

Create the conditions for an effective contribution by consumer to consultations of ARTP through:

- A national tour raising information and awareness on the regulation of telecommunications;
- The organization of a workshop for capacity building of user representatives;
- A partnership for the promotion of consumer rights.

V. Expected Results

The effectiveness of the participation of consumers of telecommunications regulation, acquired through;

- Facilitation of focus groups around the rights of consumers of services in the telecommunications sector;
- Establishing and regularly updating a database on the impact of telecommunication services on consumers;
- Translating and disseminating telecommunications laws, regulations and contract documents and invoices in local languages;
- Organizing periodic training sessions for capacity building, with the technical support providers, the ARTP and other industry partners to the benefit of consumer representatives;
- Producing and disseminating articles and television programs by the community media sector;
- A system of information setup providing advice and registration of consumer complaints, supported by regional offices;
- Comparative tests of products and services from different providers;
- Among others.
VI. Start-up activities

a) Information and offer of partnership with stakeholders and sector authorities (see copies of correspondence and forms of transmission, available separately from CI).

b) Negotiation of the terms of cooperation with the Regulatory Authority for Telecommunications and Post (ARTP).

The implementation of the second phase of the project will be done in close collaboration with the ARTP, which is responsible for regulating the sector in Senegal. For this purpose, application was made to the formulate the proposed basis for the partnership (documentation available separately from CI). This desire for collaboration is illustrated by the organization by both parties of a meeting of 14 consumer groups, on the occasion of the celebration of World Consumer Day of March 15, 2013.

Fiji

1.1 Introduction

The Consumer Council of Fiji is one of Consumers International members chosen in 2012 to undertake pilot campaigns under CI’s Holding Broadband Providers to Account. The Council has been part of Consumers International’s (CI) global projects on Consumers in the Digital Age, covering the three areas of Access to Knowledge (A2K) for consumers, broadband communications, and consumer rights and representation in the information society. In the first phase of the project, which ended in 2011, the Council had participated in a global survey on broadband internet administered to consumers in 40 countries, in 5 languages, drawing over 9,000 responses.

2.0 Phase 2 – National Pilot Campaign

The Council chose two themes under this campaign: “Broadband Nutrition Label” and “Don’t Lock Me In”. While the Council was in the process of receiving campaign manual and materials from CI in 2012, it had already been actively campaigning for fair broadband services by one ISP beginning in late 2011. This campaign specifically targeted the customer service contract and other issues with Fiji’s fixed line broadband service provider Connect4 (the ISP arm of Telecom Fiji Limited5). Connect is the monopoly holder of fixed line internet in Fiji. The Council’s campaign focussed on Connect’s new customer service contracts for its new broadband plans under its new service ‘Connect Velocity’. The chosen theme of “Don’t Lock Me In” fitted well with this campaign as certain unfair exit clauses were found in Connect’s new customer contracts. In regards to the second theme “Broadband Nutrition Label”, the Council saw fit to embark on this in the first quarter of 2013 due to time constraints emanating from other ongoing campaigns on other issues.

2.1 Campaign against Connect Velocity unfair contract – ‘Don’t Lock Me In’, unfair fees/charges

4 www.connect.com.fj Connect is the only provider of fixed line broadband services in the Fiji Island. It is Fiji’s first ISP and holds substantial market power for internet services, although this is being challenged by providers of wireless and mobile internet services – Vodafone Fiji, Digicel Fiji, Unwired and Inkk.

5 www.tfl.com.fj Telecom Fiji is a wholly owned entity of Amalgamated Telecom Holdings Limited (ATH) www.ath.com.fj – a telecommunications holding company with Government ownership at 34.6%, state-run superannuation fund FNPFF as majority shareholder 58.2%, the rest under public shareholding.
2.1 Background

On 8th February 2012, Connect notified its customers via email and a letter that the ISP was phasing out its ADSL plans (256k 5GB, After Dark and ADSL 512k 10GB) and replacing this with new DSL broadband packages beginning with a minimum data cap of 1GB and download speed of 1Mbps. The old ADSL plans were popular with residential customers where monthly rates began at $35.78 under a 5GB/256kbps plan. The new broadband plans had an entry-level package of $35/month at 1GB data cap and 1mbps download speeds. This event gave the Council the impetus to initiate a campaign against Connect’s unfair terms and conditions as outlined in its customer service contracts. The Consumer Council firstly expressed its concern that the new plans meant customers would be losing out 4GB of data they used to pay for. Although Connect offered speeds beginning at 1mbps for the new packages, consumer complaints show that speeds were not always guaranteed and connectivity problems were common. The new plans meant customers would be able to download as much as before. Apart from these, other problems that the Council saw as infringing on consumers’ rights to fair play emerged. These were:

- A new Connect Velocity contract that had unfair clauses regarding contract termination/exit, Connect not taking liability for outages, etc. Customers were locked into the contract with early exit fees and related charges.
- Customers asked to opt into new packages, those who do not will automatically be converted to a DSL plan and lose their Connect email addresses supplied with their existing service – Connect was able to do this due to previous unfair contract where it could change terms and conditions whenever it saw fit.
- Reload data that expired at the end of the month under which the data cap was exhausted. Example: If data cap was exhausted on the last week of the billing month, the reloaded data was only usable within that same billing month.

2.2 Campaign Actions Undertaken and Results

- **Publicity** – The Consumer Council began a public campaign against Connect beginning with Press Releases in February 2012\(^6\). Some of the published articles in the leading national newspaper - Fiji Times were:
  - 20/02/12, ‘Internet rates unfair, says monitor’
  - 05/06/12, ‘Council uproar on consumer treatment’
  - 05/0612, ‘No force in internet deals’ [containing the ISP's reaction]
  - 15/06/12, ‘Commission looks into complaints’

- **Formal complaint with the Fiji Commerce Commission (FCC)** – The Council lodged a formal complaint with the FCC on 27th February 2012. Excerpts from the complaint submission:

  The Council believes that the Fiji Commerce Commission is in a position to intervene considering that Connect holds substantial market power in **fixed-line ADSL broadband internet services**. Connect’s market power when left unchecked allows it to dictate at will rates and packages on consumers. While

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the Council understands that there is now more choice in internet services, many consumers rely on fixed line internet due to coverage problems encountered with wireless services. ….

The Council finds that Connect is not being fair to consumers after having found relief from the FCC’s regulation of wholesale bandwidth prices charged by FINTEL in 2010. Connect should be in a stronger position to pass on the benefits of decreased wholesale prices to consumers. In this regard the Council urges the Commission to:

- Investigate Connect’s new rates and the manner it has imposed these on consumers;
- Ascertain whether Connect has breached its contractual obligations with consumers who signed service agreements with the ISP;
- To consider Connect’s substantial market power over fixed line broadband internet services and whether such power is being abused;
- To take note that Connect is well positioned in the market to contribute to the Government’s intention of increasing internet access to Fiji’s people and;…..

- Meetings – Following the publicity that the Council had generated and the complaints lodged with the consumer and competition regulator, the FCC convened two formal meetings involving the Council and Connect/TFL management.
  - 06/06/12 – 1st Meeting with FCC and Connect/TFL where the Council’s concerns were openly discussed with the ISP. Connect made verbal undertaking to address the concerns raised and propose amendments to its new broadband packages and the customer contracts
  - 16/08/12 – 2nd Meeting to discuss complaints from customers following the migration to the amended package called ‘Connect Velocity’. FCC had put an ultimatum to Connect to make amendments to the customer contracts or legal action would be taken.

- Connect Amends Plans, $35 Connect Velocity – Connect was forced to amend its entry-level DSL broadband plan by restoring the data cap to 5GB.

<table>
<thead>
<tr>
<th>Previous Plan</th>
<th>New Amended Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>$35/month, 1GB cap, 1mbps</td>
<td>$35/month, 5GB, 1mbps</td>
</tr>
</tbody>
</table>

- Reload Data – Pressure from the Consumer Council led Connect to amend conditions. On 12/07/13 reload data validity was extended to one month; previously ‘use or lose’ system where unused reloaded data was not carried to the next month/billing cycle.

- Connect Amends Customer Contracts (Connect Velocity) – Connect was forced to make changes to its contract following pressure from the Consumer Council and the Fiji Commerce Commission. The Council received the first formal draft amended from the FCC in October 2012.
25/10/12: Consumer Council received Connect’s proposed amended via the FCC.

22/11/12: After careful study, the Council replied to the amendments with additional comments and concerns raise:

1. Contract contained a chargeable fee of $40.89 levied for a downgrade in plan. Council questioned what cost was the ISP incurring with such a downgrading in service and that a similar fee is not applied when customers upgrade their service.

2. Unfair clause on indemnities was too open ended and allowed Connect to be indemnified from “arising out of the use of the service.” The clause may prevent a consumer from exercising his/her right in seeking redress through SCT or other avenues if he/she suffers a grievance arising from the use of the service. For example, if outage and data loss is caused where the fault is not the consumers.

3. Warranty for modems only for 3 months – This was unfair in that consumers are locked into a 12-month contract yet the modem carries only a 3-month warranty.

- Connect Final Amendments – The Council received the final amendment from Connect via the FCC on 12 December 2012. A major success was the removal of the $40.89 administration fee for downgrading of plans (See Table in Part 2.3 for details of other changes made).

2.3 Outcomes of Campaign

<table>
<thead>
<tr>
<th>PREVIOUS</th>
<th>CHANGES/OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Plans and other conditions</strong></td>
<td><strong>Data cap restored to 5GB from 1GB: $35/month, 5GB, 1mbps</strong></td>
</tr>
<tr>
<td>New entry-level DSL Plan: $35/month, 1GB cap, 1mbps</td>
<td>'Use or lose’ system on reload data removed. Reload data now comes with a 30-day validity from date of reload</td>
</tr>
<tr>
<td><strong>Customer contracts, terms &amp; conditions</strong></td>
<td>Clause removed</td>
</tr>
<tr>
<td>Customers can opt to reload data after exhausting data cap. Unused data is not carried forward to the following month/billing cycle</td>
<td>Clause amended to: We are responsible for fixing faults in our host computers and our access network. [Note: Connect is TFL’s ISP, they are not separate entities, which the unfair clause appears to denote]</td>
</tr>
<tr>
<td>Clause 2.3 – Did not specify the process of termination and unfairly gave Connect to terminate service at will or make changes as it has done with the new packages</td>
<td>Clause amended. Penalty fee limited to just one month’s rental. Security deposit is not forfeited, but refundable on termination. Early exit fee is not applicable if terminating services after the first 12 months of service</td>
</tr>
<tr>
<td>Clause 5.3 We are responsible for fixing faults in our host computers. The responsibilities for fixing faults in other parts of the Telecom Fiji network are set out in the Terms and Use of Telecom Fiji Limited services</td>
<td>Clause amended, security deposit “…will not be used to settle any current debt.”</td>
</tr>
<tr>
<td>Clause 7.7 (Termination) – Customers exiting before the contract term were liable for a penalty fee equivalent to one month’s rental and also forfeit the security deposit</td>
<td>Clause removed. Customer need not pay any charges for downgrading their plans</td>
</tr>
<tr>
<td>Clause 8.3 Security deposit will be held until you terminate your account and will be used for debt recovery.</td>
<td></td>
</tr>
</tbody>
</table>
Downgrade is referred to change of a service where speed or data cap is reduced.

Clause 10.1 Indemnities. You agree to indemnify us from all liabilities, damages, claims, actions, proceedings and expenses, including all legal fees and expenses, arising out of the use of the service or your breach of any term of this Agreement in any way. An exclusionary clause that denies the consumer’s right to seek redress.

Claused amended: You agree to indemnify us from all liabilities, damages, claims, actions, proceedings and expenses, including all legal fees and expenses, arising out of your direct breach of any term of this Agreement or abuse of the service in any way.

Outstanding Issue – Clause 4.1

Clause 4.1 Broadband Modem. Modems carry a manufactures warranty for 3 months and are the responsibility of the customer (and) Clause 4.2 Modems not covered under warranty or after warranty period will be replaced at the cost of the customer.

This clause has not been changed. It is unfair that customers get locked into a contract for 12 months or more, yet the modem only carries a 3-month warranty. If modems have a warranty for 3 months, why then a contact has to be for 12 months where there is a chance of a faulty modem after the warranty period.

3.0 Conclusion

The Council’s campaign against the ISP has produced some positive results and we have been able to hold Connect to account on its unfair contract and terms/conditions of service. Some of the good outcomes were: reduction of unfair exit fees whereby forfeiture of security deposit has been removed; removal of ‘use or lose’ policy on unused data cap whereby this has been given a 30-day validity; removal unfair fee for downgrading of plan; and removal of some unfair indemnity clauses. While the campaign has resulted in some amendments to the services and contract, there are still outstanding issues that the Council will soon be addressing in its next phase of the campaign. This will involve broadband nutrition labelling and ISP advertisements. The Council will also fight for transparency in the provision and flow of information in regards to customer data usage after Connect removed an online system for customers to view details of data usage.

Mexico

Report is presented in Spanish. An English translation is given below. Documents referred to in the report are available on request.

Actividad:


Actividad dirigida a: El Gobierno Federal.

Descripción:

Esta Norma regula prácticas comerciales y se titula NOM-184-SCFI-2012. Tiene el objetivo de establecer elementos normativos para la comercialización y/o prestación de los servicios de telecomunicaciones cuando utilicen una red pública de telecomunicaciones.

El Comité Consultivo Nacional de Normalización de Seguridad al Usuario, Información Comercial y Prácticas de Comercio es un órgano de consulta ciudadana de carácter federal
establecido por la ley para democratizar las normas oficiales en México. Su organización depende de la Secretaría de Economía; el proceso de normalización incluye un periodo de consulta pública en el cual la ciudadanía es representada a través de diferentes sectores.

**Al Consumidor A.C.** es una organización mexicana de consumidores especialista en la defensa de los derechos del consumidor en materia de telecomunicaciones. El CEJ y Al Consumidor representan el interés de los consumidores en el Comité, junto con la PROFECO aunque ésta agencia depende del Gobierno Federal.

El pasado 11 de julio se llevó a cabo la Sexta Sesión Ordinaria del Comité en donde el CEJ votó a favor de los comentarios y sugerencias que se le hicieron a la Norma por parte de Al Consumidor, PROFECO y otras organizaciones civiles que externamente que participaron a través de nosotros.

**Productos, resultados y aprendizajes:**

- La Norma fue revisada y aprobada por el Comité. No se pudieron incluir modificaciones valiosas en el documento a favor de los consumidores.
- Hay una fuerte presión por parte de las empresas en el Comité, además de que tienen una mayoría de votos de representación en comparación a la de los consumidores.
- Es necesario gestionar la inclusión de más organizaciones de consumidores en el Comité.
- Son necesarias más organizaciones de consumidores que se especialicen en distintos temas para poder dar alcance a la gestión tan fuerte que hacen las empresas para obtener resultados.

**Actividad:**

2) Creación de la red de consumidores llamada **Laboratorio Ciudadano** para promover la participación ciudadana y empoderar a los usuarios de servicios de telecomunicaciones ante prácticas abusivas de los proveedores.

**Actividad dirigida a:** La ciudadanía y proveedores del servicio.

**Descripción:**

El **Laboratorio Ciudadano** es un proyecto financiado por la Fundación Anne Fransen que busca empoderar a los consumidores para la defensa y promoción de sus derechos a través de acciones concretas y principalmente enseñándoles a utilizar herramientas digitales en línea para formar redes, hacer campañas y posicionar mensajes en la agenda pública.

El Proyecto de Banda Ancha de CI y el de Laboratorio Ciudadano de Fransen se complementaron para darle más alcance a la materia y posicionar mejor el tema en la ciudadanía.

El proyecto se desarrolló en 4 módulos de los cuales los primeros dos se enfocaron en la participación ciudadana en línea y en la protección de usuarios de servicios de telecomunicaciones. Se decidió llamarlo Laboratorio Ciudadano debido a que se pretende que quienes asistan experimenten acciones de incidencia con herramientas digitales. También se pretende formar una plataforma constante de ciudadanos que trabajen de forma independiente diferentes campañas relacionadas con los temas elegidos.

A cada módulo le correspondió un par de ponentes expertos en el tema, seguido de ejercicios en línea y culminando en la creación de un blog que reuniera todas las experiencias y acciones realizadas.
Los módulos fueron transmitidos en línea a través del canal (live stream) del CEJ y promocionados en el canal de Youtube de Consumers International de Latinoamérica. También se tiene una campaña permanente sobre los temas del Laboratorio Ciudadano en redes sociales (Facebook, Twitter y página web del CEJ).

Los temas y ponentes:

<table>
<thead>
<tr>
<th>Tema</th>
<th>Ponente</th>
<th>Cargo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participación Ciudadana a través de herramientas digitales.</td>
<td>Lic. Juan Eduardo Alvarado Angulo.</td>
<td>Miembro del Colectivo Ecologista Jalisco A.C.</td>
</tr>
<tr>
<td>Servicios de Telecomunicaciones</td>
<td>Lic. Adriana Labardini.</td>
<td>Presidente de Al Consumidor A.C.</td>
</tr>
</tbody>
</table>

Productos, resultados y aprendizajes:

- Se diseñaron posters promocionales impresos y digitales que se difundieron a través de las redes sociales y se publicaron en lugares estratégicos de la ciudad.
- Los consumidores aprendieron el proceso de normalización y las formas de poder incidir en la elaboración de las normas.
- También como hacer denuncias en línea, solicitudes de información y navegar los portales de dependencias gubernamentales y cómo comunicarse directamente con funcionarios en línea.
- Se tiene activo un blog llamado http://laboratoriociudadano.tumblr.com/ donde la plataforma de consumidores puede subir sus experiencias en relación a los temas tratados, hacer denuncias en línea y subir contenidos.
- Los miembros de la plataforma aprendieron los 8 Derechos de los Consumidores, además de como acudir y dar seguimiento a sus quejas a través de los portales digitales de las autoridades responsables en materia de servicios de internet y banda ancha, tales como:
  - http://www.micofetel.gob.mx/
  - http://concilianet.profeco.gob.mx/concilianet/faces/inicio.jsp
- También se exploró como medir la velocidad de navegación y se explicó la figura legal del contrato de adhesión que es usado por los prestadores de servicios de telecomunicaciones para comprometer a los usuarios y en ocasiones son injustos, abusivos y van contra los derechos de los consumidores.
- Hay mucho interés en convertir el Laboratorio Ciudadano en un proyecto permanente y se pretende que esto fortalezca la formación de nuevas organizaciones de consumidores.

Actividad:

3) Programas de Radio con los ponentes participantes en el Laboratorio Ciudadano.

Descripción:
El Colectivo Ecologista Jalisco cuenta con un programa de radio llamado Ciudadanos y Consumidores que transmite en vivo todos los jueves a las 16:00 horas. Tiene una gran audiencia en el Estado de Jalisco y principalmente en las colonias populares de Guadalajara. Aprovechamos la presencia de los ponentes del Laboratorio Ciudadano para invitarlos al programa, se habló con el Mtro. Christian Turégano acerca de diferentes estrategias de participación ciudadana a través de herramientas digitales.

Con la Lic. Adriana Labardini promocionamos dos de los proyectos de Al Consumidor en materia de Banda Ancha; uno que busca enseñar a los consumidores como medir la velocidad a la que navega y otro que ofrece asistencia legal en línea para hacer valer sus derechos de accesibilidad, confiabilidad, velocidad y seguridad al navegar por internet.

Por último invitamos a la Mtra. Carmen Rodríguez Armenta para que nos hablara de la Democracia del Servicio de Banda Ancha en México.

Actividad:

4) Alianzas del Colectivo Ecologista Jalisco A.C. con Al Consumidor A.C.; con El Centro de Investigación del Consumo y el Consumidor A.C (CICC); y con la Asociación Mexicana de Informática (AIM).

Descripción:

En el periodo 2012 – 2013 logramos hacer una importante vinculación con la asociación que preside Adriana Labardini, Al Consumidor A.C.; con El Centro de Investigación del Consumo y el Consumidor A.C. (CICC); y con el Capítulo Jalisco de la Asociación Mexicana de Informática, misma de la que es miembro la Mtra. Carmen Rodríguez Armenta.

Estas asociaciones son probablemente las más activas junto con el CEJ en materia de Banda Ancha y Derechos de los Consumidores ante los Servicios de Telecomunicaciones en México. El CEJ participó junto con el CICC en la promoción y lanzamiento de la campaña- taller:

“APRENDIENDO A DOMINAR TU CELULAR. Alertas sobre elección y uso eficientes de los servicios móviles.”

Esta campaña se dirigió a los usuarios de equipos móviles para que aprendieran a usarlos correctamente.

También el CEJ participó junto con Al Consumidor A.C. en la promoción y lanzamiento de la campaña- taller:

“CONSU-ABOGADO: Plataforma digital interactiva de asistencia jurídica colectiva en materia de quejas de telefonía y banda ancha.”

Se pretende entablar acciones conjuntas en la materia en el periodo 2013-2015.

(English translation follows.)

Activity:

1) Colectivo Ecologista Jalisco AC (CEJ) and Al Consumidor AC within the National Advisory Committee for User Safety, Commercial Information and Trade Practices economy ministry to review, evaluate and propose amendments to the Telecommunications Policy in Mexico.

Activity for: The Federal Government.
Description:

This standard covers business practices and is titled NOM-184-SCFI-2012. It aims to establish regulatory elements for marketing and / or provision of telecommunications services when using a public telecommunications network.

The National Advisory Committee for User Safety, Commercial Information and Trade Practices is a citizen advisory body established by the federal law to democratize official standards in Mexico. Organized by the Ministry of Economy, the standardization process includes a public comment period in which citizens are represented through different sectors.

AI Consumidor AC Mexico is a consumer organization specialising in defending consumer rights in telecommunications. CEJ represents the interest of consumers in the Committee, together with PROFECO, though this agency to the Federal Government.

On July 11 the Sixth Ordinary Session of the Committee was held whereat the CEJ voted for comments and suggestions that were made to the Standard by Al Consumidor, PROFECO and other civil organizations who participated externally through us.

Products, results and lessons learned:

- The Standard was revised and approved by the Committee. Changes could not be included in the document that were valuable for consumers.
- There is a strong pressure from companies in the Committee, plus they have a majority vote of representation compared to the consumer.
- There is a need to manage the inclusion of more consumer organizations in the Committee.
- More consumer organizations that specialize in different subjects are needed in order to strengthen the the management of their participation and get results.

Activity:

2) Creation of the consumer network called Citizen Lab to promote citizen participation and empower users of telecommunications services to abusive practices of suppliers.

Activity for: Citizenship and service providers.

Description:

The Citizen Lab is a project funded by the Anne Fransen Fund that seeks to empower consumers to defend and promote their rights through concrete actions and especially teaching them to use online digital tools for networking, campaigning and positioning messages on the public agenda. CI's Broadband Project and the Citizen Lab worked together to give a higher profile to the subject and better position the citizens' issues.

The project was developed in four modules of which the first two focused on citizen participation online and in the protection of users of telecommunications services. Citizen Lab was decided as the name because it is intended that those attending gain advocacy experience with digital tools. It also aims to form a steady platform for citizens to work independently on various campaigns related to the chosen themes.

Each module has a pair of speakers who are acknowledged experts in the field, followed by online exercises and culminating in the creation of a blog to gather all the experiences and actions.

The online modules were transmitted through live streaming on the CEJ website and promoted on the YouTube channel of Consumers International in Latin America.
We also have an ongoing campaign on the issues of the Citizen Lab on social networks (Facebook, Twitter and website of CEJ).

<table>
<thead>
<tr>
<th>Topic</th>
<th>Speaker</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation through digital tools.</td>
<td>Mr. Juan Eduardo Alvarado Angulo</td>
<td>Member of Colectivo Ecologista Jalisco A.C.</td>
</tr>
<tr>
<td>Telecommunications Services</td>
<td>Ms. Adriana Labardini</td>
<td>President of Al Consumidor A.C.</td>
</tr>
<tr>
<td>Democratization of Broadband Service in Mexico.</td>
<td>Ms. Carmen Rodríguez Armenta.</td>
<td>Director of Technology Virtual University System at the University of Guadalajara.</td>
</tr>
</tbody>
</table>

**Products, results and lessons learned:**

- Promotional posters were designed and printed for digital distribution through social networks and posted in strategic locations in the city.
- Consumers learned the standardization process and ways to influence the development of standards.
- Also on making online complaints, requests for information and navigating the portals of government agencies and officials to communicate directly with them online.
- We have a blog called [http://laboratoriociudadano.tumblr.com/](http://laboratoriociudadano.tumblr.com/) where consumers can upload their experiences regarding the issues, make complaints online and upload content.
- The members learned of the 8 Consumer Rights platform, as well as attending and tracking their complaints through the online portals of the authorities responsible for Internet service and broadband, such as: [http://www.micofetel.gob.mx/](http://www.micofetel.gob.mx/) [http://concilianet.profeco.gob.mx/concilianet/faces/inicio.jsp](http://concilianet.profeco.gob.mx/concilianet/faces/inicio.jsp)
- We also explored how to measure the speed of navigation and explained the legal concept of contract of adhesion that is used by telecommunications service providers to engage users and are sometimes unfair, abusive and go against the rights of consumers.
- There is much interest in converting the Citizen Lab in an ongoing project and it is intended that this will strengthen the formation of new consumer organizations.

**Activity:**

3) Radio Programs with the speakers participating in the Citizen Lab.

**Description:**

The Environmental Collective Jalisco has a radio program called Citizens and Consumers that airs live every Thursday at 16:00. It has a large audience in the State of Jalisco and mainly in the neighborhoods of Guadalajara.

We took advantage of the presence of the Citizen Lab speakers to invite them to the program, and spoke with Maestro. Christian Turegano about different strategies for citizen participation via digital tools.
With Ms. Adriana Labardini we promoted two projects on Consumer Broadband, one that seeks to teach consumers how to measure the speed at which you surf and another that offers online legal assistance to enforce their rights of access, reliability, speed and security while surfing the internet.

Finally we invited Prof. Carmen Rodriguez Armenta to speak for us of Democracy and Broadband Service in Mexico.

Activity:

4) Colectico Ecologista Jalisco A.C. And Al Consumidor AC, with The Center for Consumer Research AC (CICC) and the Mexican Association of Information Technology (AIM).

Description:

In the period 2012 - 2013 we make an important link through the president of Al Consumidor AC, Adriana Labardini, with The Center for Consumer Research AC (CICC), and the Jalisco Chapter of the Mexican Association of Computer Science, of which Prof. Carmen Rodriguez Armenta is a member.

These associations are probably the most active along with the CEJ on Broadband and Consumer Rights to Telecommunications Services in Mexico.

The CEJ participated with the CICC in the promotion and launch of the workshop:

"LEARNING TO DOMINATE YOUR CELL. Alerts on the selection and efficient use of mobile services."

This campaign targeted at mobile users to learn to use them correctly.

CEJ also participated with Al Consumidor AC in the promotion and launch of the workshop:

"CONSULAWYER: interactive digital platform collective legal complaints regarding telephony and broadband."

It aims to initiate joint actions in the field in the period 2013-2015.

South Korea

Broadband Campaign for both fixed line and mobile

Internet Service Providers provide both fixed line and mobile broadband service in Korea. There are three major companies which provide both of these services and several regional companies which provide only fixed line service. So Consumers Korea did its broadband campaign both fixed line and mobile at the same time.

Consumers Korea gathered what are most serious problems in broadband services by survey and call center and we decided what the priority is. Consumers Korea held this campaign with consumer, company and government representatives altogether to do it in the most effective way.

1. Consumer Education and Campaign activity

Consumers Korea held consumer education program for Broadband two times. The first one was held at Sep. 21. 2012. The purpose of this is to give information about broadband. What is broadband, ISPs and mobile service and how can consumers be protected. A
Professor was invited to explain about broadband service in general and Consumers Korea also explained what our campaign’s purpose is, what we should ask for ISPs and how we are going to do it successfully.

The second one was held at Feb. 20. 2013. The purpose of the second one is to explain what the current status is, what was changed and what consumers should ask for from companies. Consumers Korea also distributes pamphlets on these topics.

2. Publish article about broadband campaign in Consumers Korea Magazine

As CI’s introduction, Consumers Korea made a pamphlet to distribute. In addition to that, CK also wrote an article about the broadband campaign in CK’s magazine. The most important thing is making publicity about what we are doing and why it is needed.

Consumers Korea wrote about the purpose of this campaign in detail and what consumers should recognize when they have problems case by case.

3. Meeting with Business Party

Consumers Korea had meetings with companies. CK invited three major companies which provide fixed line and mobile services and also other companies which provide fixed line service. The major problems are as follows:
• Show speed information on the bill
• Tariff and unfair contract terms
• Bundle products
• Consumer complaint handling

Because fixed line service is settled for a long time, Korea Communications Commission tests all of the line service speeds and publishes the speed by range every year. And each company also provides tools for testing speed by consumer themselves. Thus CK requested company to indicate those results on the bills by including average, guaranteed, upload and download speeds first.

However mobile service has more problems. Mobile service is now changing to the LTE service, and companies focus on their LTE speed competitively in advertisements. But consumers cannot know how much speed they can get and how much faster it is than 3G. The company defended themselves, “Consumers are smart. They can test their speeds, compare to other companies and complain if they are not satisfied. So we already provide enough service.” CK persuaded companies persistently that the smart consumers are only a few. And if you already provide enough service, you can show it on a bill easily. So put that information on a bill not only for smart consumers but also for general consumers. After their internal meeting, we will have a second meeting with them soon.

4. Korean Standard enactment of network service billing

To keep pace with the enactment of network service billing standards, the Korean Agency for Technology and Standards prepared to enact a Korean standard. Consumers Korea had a meeting several times with KATS for the enactment of network service billing in Korea, and we urged KATS to include provisions on informing broadband speeds to the consumer. We explained the importance and necessity for reliability of advertisement and consumer protection and this was finally accepted. Korean Standard was enacted on Jan. 11 2013.