Internet Governance and the Consumer

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Access, Fairness & Representation
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What Is Internet Governance?

(And Why Should I Bother?)
What Is Internet Governance?

Internet governance is the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.

Source: Working Group on Internet Governance, 2005
Who are the ... (jokers?) behind the WGIG?
Internet Governance Means

- Regulating the Internet right in both process and outcome
- Regulations will need multilateral (many countries) cooperation
- Regulations will need multi-stakeholder cooperation (ie combining government, business and civil society, eg consumer advocacy groups)
Four Clusters of Issues Under WGIG

1. Physical Infrastructure
   - ICANN-related issues: IP addresses, domain names and root zone server

2. Use of Internet
   - Spam, network security, cybercrime

3. Issues related to Internet but with wider impact
   - Competition policy, e-commerce,

4. Development aspects of Internet
   - Digital Solidarity Fund

“Political” issues

Abuse/Misuse/Use issues

Development issues
Included the WGIG Report is:

26 Consumer rights

There is a lack of global standards for consumer rights over the Internet, for example in the international purchase of goods through e-commerce; as such, users have few if any means to enforce their rights, even when these rights are recognised by legislation. In the case of digital goods and online services, there are problems for the practical and full application of traditional consumer rights.
Consumers Issues: Physical Infrastructure

• Unknown quality of service (QoS)
  – The speed to upload or download are theoretical speeds
  • So in effect you never get what they claim you get for what you paid
Broadband advertising proposals ‘a green light to mislead customers’

New proposals to regulate how broadband is advertised have been called "disappointing" by Ofcom and "a green light to mislead" by consumer group Which?

Broadband speeds are currently advertised as ‘up to’ a speed that in some cases no consumers can actually receive  Photo: GETTY IMAGES

By Matt Warman, Consumer Technology Editor
7:00AM BST 30 Sep 2011
Consumers Issues: Physical Infrastructure

• Unknown quality of service (QoS)
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  • So in effect you never get what they claim you get for what you paid

• There are multiple parties involved in getting Internet access and services so when there is a break, each party blames another
Infrastructure: Outages

- There have been outages worldwide.
- Smartphones consuming much more bandwidth than expected.
- Investment in network not keeping up.
- Not fair to collect money for handsets and contracts and then not deliver.
WGIG Report:
84. Consumer Rights

• Efforts should be made to render consumer protection laws and enforcement mechanisms fully and practically applicable and to protect consumers during the online purchase of physical and digital goods and online services, especially in cross-border transactions.
WGIG Report: 84. Consumer Rights

- Efforts should be made to define global consumer rights industry standards, applicable in the use and/or purchase of online services and digital goods. These efforts should be agreed by all stakeholders and should take into consideration applicable local laws and regulations on consumer protection, IPR and other relevant matters.
4.9 Consumer Protection

88. E-commerce will flourish only if legal systems enforce both commercial and consumer contracts. Special protections are warranted in the case of consumers. For example, the protection of consumers includes laws prohibiting misleading advertisements, regulating consumer financial services and consumer credit, and concerning liability for defective products.
90. International bodies that have developed models on the protection of consumers in respect of distance contracts and e-commerce include the European Union and the OECD.
Use and Abuse Issues: Some Solutions

• Fair, easy to understand contracts
  – Eg. Model broadband contracts

• Creating trust
  – Stronger predictor of Internet penetration than income
  – Enforcement action against errant online traders

• Privacy protection
  – Clear, easy-to-understand policy statements
ICPEN (International Consumer Protection and Enforcement Network)

- Annual consumer fraud sweeps for e-commerce fraud sites
  - Some law enforcement agencies are on board
Downsides of Consumer-Led Enforcement

• Self-help, yes but service providers are in USA
  – Eg FaceBook, eBay
    • FaceBook and its confusing privacy policy

• Operators need to share intelligence
  – West better on cross-border collaboration than Asia, which appears to be suspicious of such collaborations

• Education
  – To vendors, eg friendlier Uis (user interfaces)
  – To user
The Solution
An ongoing multi-stakeholder assessment process for newly developed technologies that may affect consumer rights should be created.
Conclusion:

• There is a need for better governance for consumer protection on the Internet.
  – Clear, easy-to-understand rules on online business that are enforceable and enforced

• If not bottom-developed (with consumers, business and government working together), eventually the rules will be top-imposed.