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| **Logo, company name  Description automatically generated** | A close up of a sign  Description automatically generated**World Telecommunication DevelopmentConference (WTDC-22)****Kigali, Rwanda, 6-16 June 2022** |
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| PLENARY MEETING | **Addendum 2 toDocument WTDC-22/33-E** |
|  | **16 May 2022** |
|  | **Original: English** |
| United States of America |
| Modification to WTDC Question 6/1 – Consumer information, protection and rights: laws, regulation, economic bases, consumer networks |
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| **Priority area:** - Thematic Priorities, Action Plan, Regional Initiatives and SG Questions**Summary:**Proposed revisions to Question 6/1 to examine new issues including multistakeholder collaboration, information sharing and various industry practices, as well as consumer awareness and access to information necessary for informed decisions.This proposal also recommends seminars and workshops on relevant topics related to consumer protection and best practice guidelines for policy frameworks that protect consumers in the context of new and emerging telecommunication/ICT technologies.**Expected results:**The United States invites WTDC to examine the proposal and approve the changes to Question 6/1.**References:**–WTDC-22 document 5 Annex 1 - Question 6/1 - Consumer information, protection and rights: laws, regulation, economic bases, consumer networks  |

**Proposal**

The United States proposes to modify WTDC Study Question 6/1 with changes as presented below.

STUDY GROUP 1

**MOD** USA/33A2/1

QUESTION 6/1

Consumer information, protection and rights:
Laws, regulation, economic bases, consumer networks

# 1 Statement of the situation or problem

1.1 In the context of increasing convergence and the advent of advanced communication technologies, consumer protection remains a highly relevant subject and a moving target. The telecommunication/ICT sector is dynamic and technology and business models keep changing, giving rise to new consumer protection issues. Further, Member States are at various stages of telecommunication/ICT penetration and adoption of new technologies, and policy/regulatory evolution, and accordingly face different challenges making exchange of information and best practices very important.

1.2 The COVID-19 pandemic and widespread use of telecommunications/ICTs, underlines both the importance of digital connectivity, and also the need for sharing of best practices so as to harness the benefits of telecommunications/ICTs while protecting the interests of consumers.

1.3 There is a need to promote the responsible use of telecommunications/ICTs as well as means to foster consumer trust in new technologies while protecting competition and innovation.

1.4 Member States must prepare for improved collaborative regulation. Consumer protection is an important policy aspect of telecommunications/ICTs. Various models of policy and regulation including better self-regulation by service providers and co-regulation need to be explored.

1.5 Consumer protection is necessary to foster consumer trust, which in turn would encourage the continued uptake of new technologies in a manner that is safe, secure and respects consumer rights. The protection of vulnerable users such as new users especially those from economically disadvantaged populations, women, children, the elderly and persons with disabilities must be given special attention.

# 2 Question or issue for study

2.1 The Question will continue to cover the topics in the scope of possible revision of the Question 6/1 Final Report for ITU-D study period 2018-2022, and new topics targeted at new deliverables for ITU-D study period 2022-2025, as appropriate.

2.2 Studies under the Question will focus on the below mentioned issues:

2.2.1 Telecommunication/ICT Policy and regulation being adopted for consumer protection by NRAs and other national, regional and international organizations to enable digital transformation while balancing the interests of all stakeholders including consumers and service providers. This would include institutional and regulatory mechanisms to promote cross-sectoral and cross-border collaboration along with revisiting policy and regulatory approaches, such as co-regulation and self-regulation. In particular it would include:

 (i) Methods and tools to protect consumers from unsolicited commercial communications, online fraud and the misuse of personally identifiable informationas an integral part of telecommunication/ICT policy.

 (ii) information sharing about policy frameworks to protect consumers, promote competition and innovation, to enhance customer care, with the advent of new and emerging telecommunication/ICT technologies such as the Internet of Things (IoT), and ensure that the frameworks facilitate online communications and transactions.

2.2.2 Organizational methods and strategies being developed by public consumer-protection agencies with regard to institutional/legal and regulatory mechanisms to tackle new challenges arising from rapid uptake of new telecommunication/ICT services including setting up of institutions, such as consumer education centres, dedicated consumer complaint-handling centres or commissions, and dedicated consumer complaint resolution mechanisms to protect consumers effectively.

2.2.3 Best Practices to ensure that policies and regulations for consumer protection in telecommunications/ICTs are sustainable instruments of protection, to include:

 (i) Based on consultation and collaboration balancing the expectations, ideas and expertise of all market stakeholders and players, including academia, industry, civil society, consumer associations, data scientists, end users, and relevant government agencies from different sectors.

 (ii) Evidence-based as evidence is critical for creating a sound understanding of the issues at stake and identifying the options going forward as well as assessing their impact.

 (iii) Outcome-based in order to address the most pressing issues, such as market barriers and enabling synergies. Policy and regulation responses to new telecommunication/ICT technologies should be grounded in the impact on consumers, societies, market players.

 (iv) Incentive-based, rewarding players who uphold consumer protection.

2.2.4 Institutional and policy/regulatory mechanisms/means put in place by Member States and regulators in the telecommunication/ICT sector, so that operators/service providers publish transparent, comparable, adequate, up-to-date information on, *inter alia*, prices, tariffs, expenses and terms of service including protection of personal information and contract termination, and accessing and updating telecommunication/ICT services, in order to keep consumers informed and to develop clear and simple offers, as well as best practices for consumer education. This includes:

 (i) Availability of tools to test the actual speed of users’ connection and best practices about consumer protection measures related to the expected speed advertised by telecommunication/ICT operators/service providers.

 (ii) Any transparency requirements for traffic management and zero-rating practices of telecommunication/ICT operators/service providers.

 (iii) Transparency about main forms of billing, including third-party payments such as direct carrier billing, premium rate services, mobile payment etc. and consumer protection measures in place about third party charges in telecommunications bills.

2.2.5 Mechanisms/means implemented by the policy makers and regulators themselves to keep consumers and users informed about the basic features, quality, security, measures to protect personal information, and rates of the various services being offered by the operators, enabling them to know and exercise their rights, to use the services properly, and to make informed decisions when contracting services.

2.2.6 Specific legal, economic and financial measures adopted by national authorities in the interests of protection of specific categories of telecommunication/ICT users (new users especially those from economically disadvantaged communities, the elderly, persons with disabilities, women and children). This should include mechanisms to promote the creation of useful information and practical tools to be used for promoting consumer awareness to better enable consumer protection, including surrounding the use of new technologies.

2.2.7 Mechanisms/means implemented by the policymakers and regulators and operators/service providers to incentivize to self-regulation or co-regulation that promotes confidence among all the actors involved, especially the consumer.

2.2.8 Means that may be adopted to foster effective consumer protection cooperation and information exchange among policymakers and regulators.

# 3 Expected output

a) A report to Member States and Sector Members, consumer-protection organizations, operators and service providers, setting out guidelines and best practices for consumer protection in the provision of all telecommunication/ICT services to include:

(i) Guidelines on increasing consumer awareness.

(ii) Best Practices on collaboration and consultation to promote multistakeholder input on policies and regulations for consumer protection.

(iii) Guidelines and information sharing about policy frameworks that protect consumers, promote competition and innovation, and enhance customer care, with the advent of new and emerging telecommunication/ICT technologies such as the Internet of Things (IoT).

b) Organization of seminars and workshops on the above topics related to consumer protection.

# 4 Timing

An annual progress report is expected at each study group meeting. Other deliverables, including annual deliverables, workshops and the revision of the report of the previous study period, could be sent for study group’s approval on readiness, as appropriate.

# 5 Proposers/sponsors

TBD.

# 6 Sources of input

1) Collection of related contributions and data from Member States and ITU-D Sector Members, and those organizations and groups listed below.

2) Updates and outputs of ITU-R and ITU-T study groups; relevant Recommendations and reports related to consumer protection.

3) Collection of information on the impact on developing countries of new technologies, business models and ongoing digital transformation.

4) Outputs of WTDC Resolution 9 (Rev. Buenos Aires, 2017), including relevant Recommendations, guidelines and reports.

# 7 Target audience

| Target audience | Developed countries | Developing countries |
| --- | --- | --- |
| Telecom policy-makers | Yes | Yes |
| Telecom regulators | Yes | Yes |
| Telecommunication/ICT consumer-protection organizations  | Yes | Yes |
| Service providers/operators | Yes | Yes |
| Broadcasting operators | Yes | Yes |
| ITU‑D programme  | Yes | Yes |

a) Target audience – Who specifically will use the output

Beneficiaries of the output are expected to be consumers, telecommunication/ICT operators and policy-makers/regulators worldwide.

b) Proposed methods for implementation of the results

Activities include conducting, observing and sharing best practices, and developing comprehensive reports serving the target audience’s interests.

# 8 Proposed methods of handling the Question or issue

a) How?

1) Within a study group: ☑

– Question (over a multi-year study period) □

2) Within regular BDT activity (indicate which programmes, activities, projects, etc., will be involved in the work of the study Question):

– Objective 2 ☑

– Programmes □

– Projects □

– Expert consultants □

– Regional offices 

3) In other ways – describe (e.g. regional, within other
organizations with expertise, jointly with other organizations, etc.) □

b) Why?

To be defined in the workplan.

# 9 Coordination and collaboration

The ITU-D study group dealing with this Question should coordinate closely with:

– Other ITU-R and ITU-T study groups dealing with similar issues, and in particular other relevant ITU-D groups, for example the ITU-D Working Group on Gender Issues and child online protection.

– Relevant international and regional organizations, as appropriate.

– The Director of the Telecommunication Development Bureau (BDT) shall, through the appropriate BDT staff (e.g. regional directors, focal points) provide information to rapporteurs on all relevant ITU projects in different regions. This information should be provided to the meetings of the rapporteurs when the work of the programmes and regional offices is in the planning stages and when it is completed.

It is worth mentioning that it is beneficial to the membership that collaboration be incentivised with other Questions and Sectors in the investigation of other networks and service platforms which can be combined with broadcasting to implement new experiences in content delivery, for instance, in ITU-D Questions 1/1, 3/1 and 4/1; ITU-R SG1, SG5 and SG6; and ITU-T SG9 and SG16, each of the groups in their mandates and within their scopes of work.

# 10 BDT programme link

 Links to BDT programmes aimed at fostering the development of telecommunication/ICT networks as well as relevant applications and services, including bridging the digital divide.

# 11 Other relevant information

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