

TRR VANUATU SUBMISSION TO GSR 2014

1. Redefining consumer protection needs along the value chain, from ICT networks to apps and services;

- TRR agrees that the digital economy has clearly raised new exciting opportunities but also challenges for ICT consumers that will require increased attention from a regulatory perspective. Notably, this is in areas that weren't within the traditional purview of the ICT regulator such as data protection, cyber bullying and online privacy matters. Consumer protection needs in many forms continue to resurface and continually need to be addressed. A key mechanism for us is through consumer awareness and education initiatives. Importantly, for Vanuatu, awareness and educational information mechanisms must be targeted at a level of understanding for the consumers. In Vanuatu the population majority are highly illiterate and do not understand, nor do they have knowledge of ICT terms which are used in the converged/Digital world and are globally applied.
- The rapid proliferation of ICTs into Vanuatu is welcomed and it validates the inevitability of change and transformation in consumer behaviour, habits and conduct as they are confronted with new issues brought about by the wider availability of new technologies, multiple choice, new devices, new online services and apps.
- Required consumer protection needs have been highlighted through the development of relevant Government policies (the National ICT policy, the Cyber Security Policy and the Universal Access Policy) and new initiatives such as the upcoming (ITU/Vanuatu Government) National Child Online Protection Strategy Workshop to be held in Q3 of 2014, in Port Vila, Vanuatu.
- It is essential for consumers to be informed and protected. Part 8 of the TRR Act of 2009 mandates TRR on this important role. Such initiatives in place, or in development, include enforcement of license obligations on behalf of consumers, development of a Consumer Protection Regulation and our established Advertising Guidelines, Market and Competition Guidelines, and Internet Regulatory practice is a good starting point.
- Consumer education is of critical importance and TRR has taken the lead of this, placing a high focus on consumer awareness activities such as collaborating with the Vanuatu National Youth Council to deliver the information through various programs. As well as our external focus, relevant internal policies, guidelines and regulations have been developed and implemented.
- TRR's role in mediating and escalating consumer complaints for redress is ongoing, and cordial relationships with service providers have been maintained to this end. A complaints handling procedure that specifically encourages consumers to *first* seek redress with service providers has been successful and has increased service providers awareness of consumer needs, rights and responsibilities.
- TRR agrees that in a globalized, interconnected and increasingly complex environment, consumer education and empowerment is critical for consumers to fully benefit from the potential of the digital world. However, for Vanuatu, education and empowerment is a significant challenge considering the literacy rate in Vanuatu as recorded in the 1999 Census, was 90% in urban areas and 69% in rural areas. Collaborative efforts between technical and the non-technical community are critical for successful consumer education and empowerment in Vanuatu. TRR has taken a leading role on consumer awareness and educational activities, working in collaboration with its Business and Consumer Advisory Groups, the Vanuatu National Youth Council and other key stakeholders to deliver relevant information through various programs.

2. Identifying priorities and responsibilities of ICT stakeholders (government, industry and consumers) in a digital environment;

- TRR agrees that Industry players have a vital role to play in ensuring not only transparency and accountability, but also in *willingly* adopting measures geared at protecting the rights of

consumers; such as them choosing to be on do-not-call lists, opting-out of online advertising, child online protection, etc.

- Service providers in Vanuatu must market and provide their services and products in accordance with the Act, relevant instruments and TRR's Advertising Guidelines; which are monitored by TRR to ensure there is no misleading and inappropriate advertising.
- Through the Telecommunications Act of 2009, Licensees have obligations to promote fair dealing practices, file tariffs, terms of services and other information as requested by the Regulator.
- The Government has played a major role in facilitating the protection of its citizens at all levels through development of relevant legislation (the National ICT Policy, Universal Access Policy and Cyber Security Policy) and is drafting Cybercrime Legislation.
- Inter-government departments and agencies have been identified in these Policies and are responsible for their implementation and reporting back to Government on progress.
- TRR fully supports the view that consumers must be able to benefit from living in a digital world through policy makers and regulators rethinking consumer protection and safety in light of the far-reaching changes taking place in the ICT sector. Vanuatu is ideally placed for this as the Government provides an enabling environment through its policy directions and the Regulator plays a role in implementing the Government's Policies and facilitating partnerships; for example, a range of initiatives such as Connect a school, connect a community, via the Universal Access Policy.
- Vanuatu, through the TRR, will develop its National Child Online Protection Strategy with the support of ITU and IMPACT in Q3 of 2014. This will be the first such strategy in the Pacific, will provide online protection measure for Vanuatu, and will assist our regional partners and may also lead to a regional initiative.
- TRR has developed and implemented a Consumer Awareness and Protection Plan for 2014 and Beyond (CAPP 2014). A key message of the CAPP 2014 is promotion of consumer rights and responsibilities for consumer empowerment. A successful model developed by TRR is to appoint and utilize "Consumer Champions."
- TRR recognizes and promotes that consumer protection is also a responsibility of consumers themselves, who have both rights and obligations to meet to contribute to a safe and secure digital environment.
- Partnerships at the national level are critical for educating and empowering consumers at all levels. CAPP 2014 is a bottom up approach targeted at citizens through the involvement of schools, churches, NGOs and the civil society which TRR believes will assist greatly consumer awareness of new technologies.
- Major consumer activities in Vanuatu include a Series of School Debates (designed and managed by TRR), participation in Career Opportunity programs for school, participation in International Youth Day celebrations and related activities, radio talk back shows and interviews and monthly articles in the press.
- Partnerships with Schools and the community, as well as Chiefs in villages at a traditional level, is an important element in enhancing use and application of technology in a Ni-Vanuatu society.
- TRR, in conjunction with the Ministry for ICT and Telecommunications, has been proactive in promoting, informing, encouraging and raising awareness to stakeholders of the benefit of new technology applications and uptake of services. This approach reduces some of the challenges that most small economies like Vanuatu face; such as low ICT literacy and the Digital divide.

3. Expanding the regulator's mandate and enforcement measures to ensure effective consumer protection in a converged digital environment (in particular in dealing with privacy, data protection, protection against fraud, misuse, etc.)

- In light of the current and ever increasing trend to converged ICT services, bundling of products and content delivery over networks and end user devices, the Regulator must understand and

tackle the paradigm shift to ensure that regulatory requirements are met and complied with, consumers are protected and their needs are satisfied, and industry is able to evolve and compete in a light touch environment.

- TRR is increasing its utilization of social media avenues, community face to face participatory discussions, and the most ranked use media in Vanuatu which is through radio, to communicate information to consumers clearly and consistently; this includes safe and appropriate use of ICTs.
- In Vanuatu, technology convergence has coincided and fused with another global phenomenon; the rise of social media. Legal frameworks for protection of end users are yet to be developed. A step in this direction is the approval of the Cyber Security Policy and the development of Cybercrime Legislation. This is a challenge for Vanuatu since safety nets, whilst being considered and developed, are not yet in place, and traditional legal frameworks have not evolved with the dynamic change in ICT and telecommunication technology.