



**African Telecommunications Union**

# **ICT Consumers Rights in Africa: Promoting Sustainable Consumption**

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## *Introduction*

*According to John F. Kennedy's Message to Congress on March 15, 1962*

*There are Four Consumers basic rights :*

- *Right to safety*
- *Right to be informed*
- *Right to choose*
- *Right to be heard*



# *Presentation Summary*

## Introduction

1. Africa ICT penetration key indicators
2. Focus on Consumers main issues and needs in Africa Today
3. Proposals for Strengthening Consumers rights in Africa
4. How ATU could contribute to promote Consumers rights in Africa

## Conclusion



# 1. *ICT penetration in Africa : key Indicators*

## *Africa currently*

- More than 650 million unique mobile subscribers,
- More than 30% of the African population, are now using the Internet and more than 7% population are Facebook user.
- More than 80% of Facebook's users in Africa are visiting the site via mobile devices;
- The global share of e-commerce for the Middle East and Africa was expected to rise from 1.6% in 2011 to 2.3% by 2016.

## *Consequences*

New challenges arise in parallel with growth, and the growing need for ICTs in everyday life poses its own requirements and risks. Such a risk arises from the increased consumption of technological services and requires urgent policy attention and action to protect the rights of consumers and especially the most vulnerable of them.



## ***2. Focus on ICT Consumers main issues in Africa***

***Mostly Africa is very prone to ICT-related high cost and low quality services due to the high number of causes.***

- Less coverage and instable connectivity (mainly in rural areas);
- A worst and/or inconstant quality of service (conformity standards not respected);
- Inadequacy between the bought service and the provided one;
- ICT services and devices unaffordable for the majority of population;
- Less transparency of prices, offers and promotions;
- Limited access to Broadband services;
- Inexistence of Consumer redress mechanisms that are fair, affordable and accessible, taking into consideration the needs of low-income consumers.



### ***3. Proposals for Strengthening Consumers rights in Africa***

These proposals are ***a summary of Research*** conducted by the ***University of Wilwatersrand (South Africa) and Balancing Act (London)*** which covered 5 countries (Ethiopia, Mauritius, Rwanda, Uganda and Zambia)

## ***1 STRENGTHEN CONSUMER PROTECTION IN THE LAW***

Governments should strengthen provisions in the law, that empower the regulator to protect consumer rights in ICT sector. Regulators can also issue regulations that serve the same purpose and insist that operators publish consumer charters.

## ***2 SURVEY CONSUMER PERCEPTIONS AND ISSUES***

Regulators should regularly survey consumer perceptions of the various services providers, and should publish the survey results on their websites and elsewhere. The results of these surveys are a strong basis for regulatory intervention on behalf of consumers.

## ***3 PROTECT CONSUMERS THROUGH REGULATORY INTERVENTION***

Regulators should intervene more strongly to protect consumers, by encouraging operators to improve their services, requiring greater network coverage and intervening in respect of pricing and quality of service.

#### ***4 PRIORITISE KEY COMPLAINTS ISSUES***

Regulators need to identify, prioritise and respond to key areas of complaints from ICT consumers in each of their countries, including such common problems as lack of network coverage in certain (mainly rural) areas, frequent dropped calls, poor quality of service and excessive pricing.

#### ***5 PUBLICISE CHANNELS OF COMPLAINT***

Regulators need to undertake awareness campaigns via SMS or point-of-sale information, to ensure that consumers know how to complain and over what issues complaints are justified. The service provider should always be the first port of call, with the regulator acting as the complainant's channel of last resort.

#### ***6 PUBLISH COMPARATIVE PRICING INFORMATION***

Regulators need to address confusion in respect of the pricing of the various packages and services offered, by publishing comparable benchmark data on a single website location. This would greatly assist consumers to choose the most suitable and most affordable ICT services.



## ***7 FOCUS ON MOBILE CUSTOMERS***

Regulators should give greater attention to the mobile sector, which makes up the overwhelming majority of ICT consumers in Africa. They should also exploit mobile as a channel of communication.

## ***8 PRIORITISE RURAL CONSUMERS***

Regulators should give more attention to rural consumers, who are affected disproportionately by certain consumer issues. They are also less aware of their consumer rights and less empowered.

## ***9 INCREASE THE PROFILE OF THE REGULATOR***

Regulators need to increase their profile among ICT consumers, using a variety of channels including radio, television, community media, SMS, websites and the provision of point-of-sale information.

## ***10 UNDERTAKE GENERAL CONSUMER EDUCATION***

Regulators need to undertake general consumer education to increase understanding of how the ICT sector works and how consumers are affected, what the specific ICT consumer issues are, and on Rights and expectations of ICT consumers.

## ***11 INVESTIGATE SIM-SWAPPING***

Regulators should investigate how widespread SIM-swapping and the use of multiple-SIM phones are, along with what incentivises consumers to engage in this (eg problems relating to network coverage or pricing differentials between on-net and off-net calls). Multiple SIM usage may undermine the ability of the market to punish operators with poor quality of service. Regulatory interventions to extend network coverage or to reduce mobile termination rates may be required.

## ***12 REMAIN AWARE OF FUTURE TRENDS***

Regulators need to remain abreast of market developments and shifts in customer preferences and consumer patterns. As the ICT sector continues to evolve, so too should consumer protection regulation look ahead and be proactive.

## ***13 SUPPORT CONSUMERS GROUPS/ASSOCIATIONS***

- Regulators need to support the establishment of at least one consumer association that will defend, identify and publicise the rights of ICT consumers.
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- Regulators need to ensure that effective regulatory and policymaking interventions are supported and underpinned by appropriate research into consumer protection and empowerment issues.
- Regulators need to have greater independence, authority and autonomy for the separate regulatory functions (including that of consumer protection). This should be supported by greater capacity building to strengthen intervention and increase responsiveness in order to protect ICT consumers.



## ***4. African Telecommunications Union (ATU)***

### ***ITS CONTRIBUTION FOR STRENGTHENING AFRICA CONSUMERS RIGHTS***

**ATU is a specialized Telecommunications / ICT agency of the AU and is committed to promote ICT consumers Rights in the Continent. Today as part of its mission, ATU could intervene on some aspects of *ICT Consumers Rights*, namely:**

- Harmonization of regulatory policies on consumers right aspects as well as data protection and privacy;
- Assistance MSs in raising awareness on ICT Consumers Rights issues;
- Capacity building and assistance on elaboration and implementation of ICT Consumers Rights law framework;
- Promotion of cooperation and exchanges at regional and international levels;
- Establish general guidelines on ICT Consumers Rights for Africa

## **CONCLUSION**

*The adoption of the ICT Consumer Rights Chart at national/Regional level will mark a significant milestone for Africans and underscores African's countries efforts to promote the development of an inclusive and secure information society.*

*However, Consumers rights cannot be defeated by any Law or Chart alone. In fact, it has become increasingly clear that collaboration of all in the any ICT governance and operation is required to preserve Rights, Security and Privacy of Consumers.*

## *ATU next Meetings*

Date	Theme	Venue
19 <sup>th</sup> May 2017	Debriefing on WTSA-16 Results implementation	Nairobi – Kenya
21 <sup>st</sup> and 22 <sup>nd</sup> May 2017	Capacity building Workshop on Regulatory emerging issues	Nairobi- Kenya
3 to 5 July 2017	2 <sup>nd</sup> WTDC-17 African Preparatory Meeting and 1 <sup>st</sup> APM for PP-18	Victoria Falls Zimbabwe

***THANK YOU  
FOR YOUR ATTENTION***

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