



Technical assistance and capacity building  
for government officials

**The first DODR policy training workshop on  
Consumer Dispute Resolution (CDR)**

## **PROGRAMME**

14-16 December 2021

13:00 – 16:00 (Bangkok/Jakarta time)



Full title of the project	Delivering digital trading infrastructure and online dispute resolution (DODR) for consumers as means to improve international trade and electronic commerce
Full title of the training workshop	Consumer protection, online dispute resolution for consumers considering lessons learnt
Date	<b>14 to 16 December 2021</b>
Time	1 p.m. to 4 p.m. Jakarta and Bangkok time
Venue	Online via Zoom
Audience	Officials from BPKN and OCPB
Registration	Advanced registration is required via the link: <a href="#">Meeting Registration - Zoom</a>
Teaching hours	9 hours over 3 days (3 hours per day, excluding the Welcome Session on 14 December)
Preparatory session (attendance optional)	Launch event on <b>13 December 2021</b> for UNCTAD Research Paper ' <a href="#">Consumer trust in the digital economy: The case for ODR</a> '  To register, <a href="#">click here</a>



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## About the Workshop

### Introduction

The **UNCTAD DODR Project** aims to be the first step towards the implementation of online dispute resolution (ODR) for consumers in Indonesia and Thailand. It assesses beneficiaries' needs, benchmark international best practices, strengthen local capacities and use emerging technologies like blockchain and artificial intelligence to leapfrog development stages and deliver consumer dispute resolution (CDR).

According to the UNCTAD/CIGI-Ipsos Global Survey on Internet Security and Trust of 2017, lack of trust is the main shortcoming for 49 per cent of consumers who do not shop online. Indeed, consumer trust in e-markets greatly lies in the ability for consumers to access dispute resolution and obtain redress also in an online context. National experts in UNCTAD meetings agreed that providing ODR is one of the best means to increasing consumer trust in electronic commerce in developing countries.

The United Nations Guidelines for Consumer Protection (General Assembly resolution 70/186 of 22 December 2015) call for fair, effective, transparent and impartial mechanism to address consumer complaints, including for cross-border cases, and require online consumers shall be provided no less protection than the one in other commercial forms. CDR is an effective mechanism to provide consumer access to justice and redress for resolving disputes facilitated by the use of electronic communications and other information and communications technology.

### Purpose

As part of the DODR Project's technical assistance and capacity building efforts, we provide training workshops for our project stakeholders, including government officials from the beneficiary countries – Indonesia and Thailand – to explore the concepts and practices of CDR.

This three-day event is the first of a series of four workshops. It aims to lay the foundation of knowledge which will help the beneficiary countries to critically think about how best to design and implement a CDR system that would best suit their country's needs.

A grounding in the concept of CDR systems, together with a comparative analysis of the implementation of these systems in various jurisdictions, will help the participants to draw out the lessons learnt from CDR in different contexts and identify best practices.

About the participants: Comprised of officials of consumer protection agencies from the beneficiary countries. If desired by the beneficiary countries, the workshop can also be extended to other relevant government officials that would benefit from it. Overall, more than 60 officials from the two beneficiary countries are expected to participate in this event. The participants should be officials who are working in the field of CDR, and who are entrusted with decision making powers. This includes case handlers. Ideally, the participant will have been working in the national agencies for at least two years.



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## Objectives

- To understand the international frameworks for delivering dispute resolution and redress, including the [United Nations Guidelines for Consumer Protection](#), the UNCITRAL [Technical Note on Online Dispute Resolution, 2017](#) and the OECD [Recommendations on Consumer Protection in E-commerce, and the Recommendations on Consumer Dispute Resolution and Redress](#).
- To identify the different pathways for delivering CDR for consumers, with special focus on the current initiatives: national, regional/supra-national, public/private, including good practices and lessons learnt.
- To compare the design and implementation of different CDR systems, and to identify their advantages, challenges and latest developments.
- To identify needs and gaps in beneficiary countries for delivering CDR for consumers.

## Format

The 9-hour workshop will be delivered online in English. The sessions will be delivered by DODR members and international experts, including speakers from national consumer protection agencies, international organizations and academia (see the 'Agenda' section below). Live, one-way language interpretation from English to Bahasa, Thai and Chinese will be available on the day through separate audio channels. As part of the participant's preparation for the sessions, accompanying reading materials will be provided to guide them through the course (see the 'Syllabus' section below).

## Preparatory session (highly recommended)

Workshop participants are encouraged to attend the launch event for the UNCTAD research paper '[Consumer trust in the digital economy: the case for ODR](#)' on 13<sup>th</sup> December 2021. Taking place one day before the first day of the workshop, this event is designed to prime the participants with a better appreciation of why consumer trust matters, especially during the COVID-19 pandemic and in the digital economy, and how ODR can positively impact the current economic climate for both consumers and businesses. To register, [click here](#).

It includes a presentation of the research paper, followed by a round table to discuss the efforts governments, businesses and civil society organizations have made towards consumer trust-building. It also provides a forum for the exchange of ideas on how best to reinvest in and recommit to international collaborations and multilateral cooperation in strengthening consumer trust in digital markets.

## Contact

Should you have any questions regarding the training workshop, please contact Dr. Alex Chung ([alex.chung@unctad.org](mailto:alex.chung@unctad.org)) or Ms. Valentina Rivas ([valentina.rivas@unctad.org](mailto:valentina.rivas@unctad.org)).

## Agenda

### Preparatory session: Launch of UNCTAD Research Paper

<b>13 Dec</b> 6-7pm (ICT/WIB) 7-8pm (BJT) Noon-1pm (CET)	The launch of ' <a href="#">Consumer Trust in the Digital Economy: The Case for Online Dispute Resolution</a> ', followed by round table.
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### Training Workshop Sessions 1 to 6 Each session lasts 1.5 hours

Date & Time	Session & Topic	Speakers & Format
<b>14 Dec</b> 1pm (ICT/WIB) 2pm (BJT) 7am (CET)	<b>Session 1</b> Introduction  The principles and international instruments for improving the implementation of CDR (UNGCP/UNCITRAL/OECD)	<b>Speakers:</b> <b>Dr. Alex Chung</b> , UNCTAD (10 minutes) <b>Mr. Arnau Izaguerri Vila</b> , UNCTAD (50 minutes)  Q&A (20 minutes) Break (10 minutes)
<b>14 Dec</b> 2:30pm (ICT/WIB) 3:30pm (BJT) 7:30am (UTC) 8:30am (CET)	<b>Session 2</b> The different types of CDR schemes and the contexts in which they operate, including the United Kingdom's Financial Ombudsman Services and Dutch CDR system.	<b>Speakers:</b> <b>Ms. Ana Cipriano</b> , UNCTAD (25 minutes) <b>Dr. Alex Chung</b> , UNCTAD (25 minutes)  Q&A (25 minutes) Break (5 minutes)
<b>14 Dec</b> 4pm (ICT/WIB) 5pm (BJT) 9am (UTC) 10am (CET)	<b>Welcome Session</b> A 30-minute opening ceremony to welcome participants to the inaugural DODR training workshop.	<b>Welcome remarks:</b> <b>Ms. Teresa Moreira</b> , Head of the Competition and Consumer Policies Branch, UNCTAD (7 minutes) <b>Ms. Songsiri Jumpon</b> , Secretariat, Office of the Consumer Protection Board, Thailand (7 minutes) <b>Dr. Rizal E. Halim</b> , Chairman, Badan Perlindungan Konsumen Nasional, Indonesia (7 minutes) <b>Dr. Lijin Yan</b> , Chairman of China Silk Road Group (7 minutes)

<b>15 Dec</b> 1pm (ICT/WIB) 2pm (BJT) 7am (CET) 3am (ART/BRT) Midnight (CST)	<b>Session 3:</b> Perspectives from current and former consumer authorities on the design and implementation of CDR in selected developing countries in Latin America.	<b>Speakers:</b> <b>Mr. Rafael Regla Aguirre</b> , PROFECO, Mexico (20 minutes) <b>Mr. Sebastian Barocelli</b> , Production Development Ministry, Argentina (20 minutes) <b>Ms. Ana Cipriano</b> , UNCTAD (10 minutes)  Q&A (20 minutes) Break (10 minutes)
<b>15 Dec</b> 2:30pm (ICT/WIB) 3:30pm (BJT) 8:30am (CET)	<b>Session 4:</b> Perspectives from civil society organization on CDR in the United Kingdom and from German authorities and practitioners on the implementation of CDR in Europe, the world's only regional CDR system.	<b>Speakers:</b> <b>Mr. Donal Galligan</b> , Ombudsman Association, the United Kingdom (25 minutes) <b>Ms. Pauline Stabenow</b> , European Consumer Centre Germany; National Contact Point for the European Union ODR platform; <b>Ms. Julia Kreidel</b> , European Consumer Centre Germany (25 minutes)  Q&A (30minutes)
<b>16 Dec</b> 1pm (ICT/WIB) 2pm (BJT) 7am (CET) 8am (SAST)	<b>Session 5:</b> Perspectives from academia on the implementation of CDR systems in selected developing regions and countries: Africa, South Africa and China.	<b>Speakers:</b> <b>Dr. Laura Best</b> , National Consumer Tribunal and Nelson Mandela University, South Africa (25 minutes) <b>Dr. Xia Jing</b> , University of Political Science and Law, China (25 minutes)  Q&A (20 minutes) Break (10 minutes)
<b>16 Dec</b> 2:30pm (ICT/WIB) 3:30pm (BJT) 8:30am (CET)	<b>Session 6:</b> The needs and gaps for delivering CDR in the beneficiary countries.  Final evaluation.	<b>Facilitators:</b> <b>Ms. Ana Cipriano</b> , UNCTAD (breakout room 1) <b>Mr. Arnau Izaguerri Vila</b> , UNCTAD (breakout room 2) <b>Dr. Ying Yu</b> , UNCTAD (breakout room 3)  This interactive session involves small group discussions at three intervals, where participants will join three breakout rooms (15min x 3) and then feed the small group discussions back to the main room (10 min x 3) afterward.  Running order (ICT/WIB time below): Introduction (2:30 – 2:45pm) <b>Dr. Ying Yu</b> , recap summary First breakout (2:45 – 3:10pm) Facilitated discussions Second breakout (3:10 – 3:35pm) Facilitated discussions Third breakout (3:35 – 4:00pm) Facilitated discussions Closing (4:00 – 4:05pm) <b>Dr. Alex Chung</b> , final remarks





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## Syllabus

### Methodology

The design of this training workshop is based on blended learning methodology and in the form of an online certification course. As the COVID-19 pandemic has impacted the feasibility of conducting face-to-face events, a pivot towards flexible e-learning approaches has become the predominant trend in teaching and learning around the world. This method of conducting virtual online course not only helps to increase inclusivity by reaching audiences from all parts of the globe, but also helps to reduce the risks and costs of travelling during these challenging times.

In thinking about how best to provide an optimal learning experience, the design of this workshop took several considerations into account. These included the number of participants, duration of the workshop and sessions, e-conferencing technologies available for course delivery, opportunities for small group guided interactivities, course preparatory readings, and course evaluation and feedback. A mixture of live sessions and post-workshop self-paced learning are incorporated into the course. In the event that some prospective participants are not available to attend the live sessions, they will have the flexible option to watch the pre-recorded sessional videos in their own time for up to two months after the workshop ends.

Pedagogically, this course emphasises first-hand experiences by drawing upon the best practices and lessons derived from practitioners working in the field of consumer dispute resolution. This is illustrated through the featuring of guest speakers comprised of international experts, who will provide cutting-edge insights and knowledge from their respective professional fields and geographical regions. To ensure gender-based equality and diversity of representation, the course includes several invited experts from selected developing countries in Asia, Africa and Latin America. In addition, the course is structured in a manner to provide the participants with a supported learning environment that includes ample opportunities to ask questions and engage the DODR team and the guest speakers.

### Evaluation

The evaluation of the participant's performance, for the purpose of producing a certificate of participation (see 'Certification' below), require the participant to answer a 2-minute pre-course questionnaire ([access it here](#)) and an end-of-course questionnaire (to be sent at the end of the course), both comprised of the same three questions. The questionnaires will help the DODR team to gauge how the course has contributed to improving the participant's understanding of the main concepts discussed, based on the new knowledge they acquired through the course.

### Certification

The DODR project will award certificate of participation at the end of the workshop to participants who have successfully completed the course. This requires the participant to attend at least six out of the nine hours and completion of the pre-course and post-course questionnaires.



## Course Reading Pack

Most of the reading materials detailed below are available for download directly via their weblinks. As these websites are displayed in different languages, you may find it helpful to use your web browser's language translation tool when viewing them. Some of the articles below are not available for download, as indicated. These will be emailed to you as a PDF file.

Below, you will find the general reading material and sessional reading materials for each topic. It is recommended that you spend some time to get familiarized with the main CDR concepts and systems discussed in the reading pack prior to the start of the course.

### General Reading:

- Chapter XI - Consumer dispute resolution and redress, [United Nations Manual on Consumer Protection | UNCTAD \(2017\)](#)
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## Session 1

### Topic:

The principles and international instruments for improving the implementation of CDR (UNGCP/UNCITRAL/OECD).

### Learning Outcome:

Participants will learn about the guidelines and tools, based on recommendations provided by international experts, that can be used to improve consumers' access to redress and substantive justice.

### Reading Materials:

- [Note by the UNCTAD Secretariat on Dispute Resolution and Redress](#) (2018)
- United Nations Guidelines for Consumer Protection (UNGCP 2016) [EN](#) and in [Chinese](#)

## Session 2

### Topic:

The different types of CDR schemes and the contexts in which they operate, including the United Kingdom's Financial Ombudsman Services and Dutch CDR system.

### Learning Outcome:

Participants will learn about publicly funded and privately funded CDR schemes, and some of the best practices associated with each, including those operating in the United Kingdom and the Netherlands.

### Reading Materials:

1. Types of CDR schemes:
  - [Feasibility Study: ASEAN ODR Network](#) (2019)
2. CDR in the Netherlands (PDF included as an attachment in the email)
  - P246-248, 'The Implementation of the Consumer ADR Directive in the Netherlands', by Verhage E, in C Pablo eds, *The New Regulatory Framework of Consumer Dispute Resolution* (2016).
3. Financial Ombudsman Services in the United Kingdom:
  - <https://www.financial-ombudsman.org.uk/who-we-are/governance-funding>
  - <https://www.financial-ombudsman.org.uk/who-we-are/governance-funding/adr>
  - <https://www.financial-ombudsman.org.uk/who-we-are/make-decisions>



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## Session 3

### Topic:

Perspectives from current and former consumer authorities on the design and implementation of CDR in selected developing countries in Latin America.

### Learning Outcome:

Participants will gain an insight into the national CDR systems in Mexico, Argentina and Brazil and some of the best practices and challenges facing these countries.

### Reading Materials:

1. Mexico (in Spanish, can use browser translation tool)
    - Profeco: <https://www.gob.mx/profeco>
    - Concilianet: <https://concilianet.profeco.gob.mx/Concilianet/>
    - Annual activity report: [https://www.gob.mx/cms/uploads/attachment/file/659948/INFORME\\_ANUAL\\_PROFECO\\_2020.pdf](https://www.gob.mx/cms/uploads/attachment/file/659948/INFORME_ANUAL_PROFECO_2020.pdf)
    - Digital trustmark: <https://distintivodigital.profeco.gob.mx/>
    - Conciliation from abroad: (<https://www.gob.mx/profeco/documentos/conciliation-from-abroad?state=published>)
  2. Argentina (in Spanish, can use browser translation tool)
    - Federal Single Window: <https://www.argentina.gob.ar/servicio/iniciar-un-reclamo-ante-defensa-de-las-y-los-consumidores>
    - Conflict Resolution Mechanisms for Consumption Relations Act: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/235000-239999/235275/norma.htm>
    - Consumer Protection Act: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/638/texact.htm>
    - Information on Consumers' rights and laws: <https://www.argentina.gob.ar/produccion/defensadelconsumidor/conoce-tus-derechos>
    - Hypervulnerable Consumers: <https://www.argentina.gob.ar/produccion/defensadelconsumidor/consumidores-y-consumidoras-hipervulnerables>
    - Statistics regarding claims and dispute resolutions: <https://www.argentina.gob.ar/produccion/defensadelconsumidor/indicadores>
  3. Brazil
    - P13-14, [Feasibility Study: ASEAN ODR Network](#) (2019)
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## Session 4

### Topic:

Perspectives from civil society organization on CDR in the United Kingdom and from German authorities and practitioners on the implementation of CDR in Europe, the world's only regional CDR system.

### Learning Outcome:

Participants will learn about the challenges facing CDR in the United Kingdom, areas for improvement and potential solutions. They will also gain insights into how the European Union ODR platform and the European Consumer Centres Network (ECC-Net) was created and how it is functioning.

### Reading Materials:

1. Ombudsman Association in the United Kingdom:
    - [Service Standards Framework](#)
  2. European Union ODR platform and European Consumer Centre Germany:
    - [Online Dispute Resolution | European Commission \(europa.eu\)](#)
    - [Alternative Dispute Resolution for Consumers \(evz.de\)](#)
    - [European Consumer Centres Network | ECC-Net \(evz.de\)](#)
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## Session 5

### Topic:

Perspectives from academia on the implementation of CDR systems in selected developing regions and countries: Africa, South Africa and China.

### Learning Outcome:

Participants will learn about the state of play with regards to CDR in Africa and South Africa. They will also gain an insight into the Chinese CDR landscape and how the national 12315 ODR system has undergone reform in recent years.

### Reading Materials:

1. CDR in Africa and South Africa:
  - Reddy, S (2020). 'Implementing a South African e-dispute resolution system for consumer disputes' (PDF included as an attachment in the email).
2. CDR in China:



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#### CDR development in China

- Yu Y and Shen M (2015). 'Consumer protection as the 'Open Sesame' that allows Alibaba to crush the Forty Thieves.' Journal of Antitrust Enforcement, 2015, 0, 1–14 (PDF included as an attachment in the email).

#### China's 12315 ODR platform

- <https://www.shine.cn/news/metro/1810193786/>
- <https://www.globaltimes.cn/page/202103/1218417.shtml>

#### Chinese Consumer Protection Law

- Law of the People's Republic of China on the Protection of Consumer Rights and Interests (2013 Amendment) (Effective Date: 03-15-2014)  
Article 39 Where any dispute over consumer rights and interests arises between business operators and consumers, consumers may settle the dispute by the following means:
  - (1) Conciliation with business operators through consultations.
  - (2) Requesting mediation by a consumer association or any other mediation organization legally formed.
  - (3) Filing a complaint with the relevant administrative department.
  - (4) Applying to an arbitral institution for arbitration under an arbitral agreement with a business operator.
  - (5) Filing a lawsuit with a people's court.

#### E-Commerce Law of the People's Republic of China (Effective Date: 01-01-2019)

Article 63 An e-commerce platform business may establish an online dispute settlement mechanism, develop and publish dispute settlement rules, and equitably and impartially settle the disputes between parties according to the principle of voluntariness.

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## Session 6

### Topic:

The needs and gaps for delivering CDR in the beneficiary countries.

### Learning Outcome:

Guided by UNCTAD and using the knowledge gained from the course, participants will work together to identify the gaps that prevent and their needs for the delivery of CDR in Indonesia and Thailand.

### Guiding Questions (interactive discussions):

1. What are the benefits and advantages of CDR systems in your country, especially any aspects that our sessions have not addressed so far?
2. In terms of CDR, what kinds of challenges have you encountered in your country?
3. Given the context and realities of your country, what can be done to improve your CDR schemes (thinking about what kind of scheme would be practical for your country)?