

Agenda

Opening remarks

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| 1 – 1.15 p.m.
Jakarta | - Dr. Rizal E. Halim, Chairman, <i>Badan Perlindungan Konsumen Nasional, Indonesia</i> |
| 8 – 8.15 a.m.
Geneva | - Mr. Arnau Izaguerri, Economic Affairs Officer, <i>Competition and Consumer Policies Branch, UNCTAD</i> |
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Presentation of the Report on “National framework for consumer complaints handling and dispute resolution in Indonesia”

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| 1.15 – 1.45 p.m.
Jakarta | |
| 8.15 – 8.45 a.m.
Geneva | - Ms. Ana Cipriano, Legal Affairs Officer, <i>Competition and Consumer Policies Branch, UNCTAD</i>
- Mr. Bangkit Andar Wirawan, <i>Consultant, UNCTAD (TBC)</i> |
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(15-min break)

Discussions of the recommendations and next steps (see annex)

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| 2 – 3.40 p.m.
Jakarta | |
| 9 – 10.40 a.m.
Geneva | <i>Facilitator:</i> Ms. Ana Cipriano, Legal Affairs Officer, <i>Competition and Consumer Policies Branch, UNCTAD</i> |
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Conclusions and closure

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| 3.40 – 4 p.m.
Jakarta | |
| 10.40 – 11 a.m.
Geneva | - Mr. Arnau Izaguerri, Economic Affairs Officer, <i>Competition and Consumer Policies Branch, UNCTAD</i> |

ANNEX – National Framework for Consumer Complaints handling and Dispute resolution in Indonesia.

Recommendations
1. Harmonize provisions of Consumer Protection Law and Consumer Online Dispute Resolution with regards to national legislation and sectoral regulations to clarify institutional mandates, roles and responsibilities, as well as define terminology and concepts. ¹
2. Increase cooperation among the authorities in building a full-fledged national consumer ODR platform.
3. Design an ODR platform having two stages and modules tailored according to authorities' mandates: a primary module with B2C direct negotiation feature for complaints handling (overseen by BPKN) ² and; a second module dedicated to mediation (by BPSK). ³
4. Create a national policy to support ODR activities, including measures aimed at developing, implementing, and improving the forthcoming national consumer ODR to incorporate into the ASEAN ODR Network.
5. Enable various consumer stakeholders to participate and monitor the national ODR platform. This requires a modular system, which would allow the implementation of various stages through pilot projects.
6. Develop and harmonize policies that promote business participation in the forthcoming national consumer ODR and healthy competition among businesses to better assist consumers.
7. Use statutory instruments to facilitate the implementation of a national consumer policy for ODR. This includes capacity building and awareness-raising activities such as public education, financial literacy and financial inclusion with regards to using the new national consumer ODR.
8. Conduct research to identify the causes of Supreme Court rulings that have annulled BPSK's decisions, ⁴ so that consumer protection law and policy can be better implemented.

¹ For example, define "consumer complaint", which is absent in the GCPL.

² This module follows the Brazilian model where the National consumer authority only oversees the platform, not interfering in the dialogue between the consumer and business following a complaint. Mexico (Profeco) also introduced a similar module called "pre-conciliation". There's proof that these strategies solve 70 to 80 per cent of the complaints filed in the platform.

³ To increase efficiency in case handling when dealing with high volume of cases or remotely based consumers, BPSK should also increase their presence around Indonesia.

⁴ Arguing that BPSK does not have the authority to solve certain consumer dispute cases.