



# E-commerce @OECD

*Ad Hoc* Expert Meeting on Consumer Protection  
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# Outline

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- What is OECD?
- E-commerce work
  - Overview
  - Current focus
    - Mobile and online payments
    - Digital content products
    - Participative e-commerce
    - Ministerial in 2016
  - International co-operation





# What is OECD?

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- **OECD = 34 member countries**
  - Europe: 21 EU members, Iceland, Norway, Switzerland, Turkey
  - Americas: Canada, Chile, Mexico, US
  - Asia, Oceania, Africa: Japan, Korea, Australia, New Zealand, Israel
- **Accession:** Russia; Colombia and Latvia; Costa Rica and Lithuania
- **Key partners**
  - Brazil, China, India, Indonesia, South Africa
- **Scope of OECD work**
  - 200 committees, working groups covering economic and social issues
  - Committee on Consumer Policy; Working Party on Consumer Product Safety  
OECD members + Brazil (WP only), Colombia, Egypt and India
  - CCP carries out research, provides discussion forum for policy-makers, develops policy guidelines/best practice advice



# CCP e-commerce policy work

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- 1999 E-commerce Guidelines (<http://oecd.org/dataoecd/18/13/34023235.pdf>)
- 2003 Cross-border fraud Guidelines (<http://oecd.org/dataoecd/24/33/2956464.pdf>)
- 2007 Dispute resolution and redress Recommendation (<http://oecd.org/dataoecd/43/50/38960101.pdf>)
- 2008 Ministerial on the Future of the Internet Economy
  - Policy guidance on mobile commerce ([www.oecd.org/dataoecd/49/38/40878993.pdf?contentId=40878994](http://www.oecd.org/dataoecd/49/38/40878993.pdf?contentId=40878994))
  - Policy guidance on online identity theft (<http://oecd.org/dataoecd/49/39/40879136.pdf?contentId=40879137>)
- 2009 Conference on Empowering E-Consumers ([www.oecd.org/ict/econsumerconference](http://www.oecd.org/ict/econsumerconference))
- Current projects
  - Online and mobile payments
  - Digital content products
  - Participative e-commerce
  - Outcomes: new/revised instruments





# 1999 guidelines

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- Key elements:
  - Consumers engaging in e-commerce should be afforded transparent and effective consumer protection that is no less than the level of protection afforded in other forms of commerce
  - Consumers should benefit from
    - Fair business advertising and marketing practices
    - Clear and transparent information disclosures about the business, product, and transaction (including on a right of withdrawal)
    - Ways to confirm or cancel a transaction before concluding a purchase
    - Secure and easy-to-use payment mechanisms
    - Privacy
    - Education and awareness
  - Industry-self regulation should be encouraged
  - Member countries should co-operate to combat cross-border fraudulent, misleading and unfair commerce practices



# Cross-border fraud guidelines

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- Member countries should:
  - Establish enhanced, quicker and more effective domestic and international frameworks to combat offline and online cross-border fraudulent commercial practices
  - Enhance notification, information sharing and investigative assistance
  - Improve the protection of foreign consumers from domestic businesses engaging in fraudulent commercial practices
  - Improve the protection of domestic consumers from foreign businesses engaging in fraudulent commercial practices
  - Provide redress mechanisms for victims of fraudulent practices, with special attention to cross-border systems
  - Enhance co-operation with relevant private sector entities



# Dispute resolution and redress

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- DRR mechanisms should be:
  - Generally available to consumers (including vulnerable consumers)
  - Cost-effective
  - Easy to use
- Mechanisms should include:
  - Out-of-court options
  - Third party solutions
  - Simplified small claims court procedures
  - Collective redress possibilities
  - Provisions for enforcement authorities to obtain or facilitate redress



# Mobile and online payments

- Analytic report published (2012)
  - Convergence in online and m-payments
  - Global volume of transactions is growing rapidly
  - Increasingly processed by non-traditional financial organisations
  - Main developments in OECD members
    - NFC mobile payments
    - Digital wallets
  - Main developments in non-members
    - Banking
    - Remittances and money transfers







# Mobile and online payments

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- **Policy guidance being developed**
  1. Information on the terms, conditions, and costs of transactions
  2. Privacy
  3. Security
  4. Confirmation process
  5. Children
  6. Varying levels of protection among payment providers and payments vehicles
  7. Fraudulent, misleading, deceptive and other unfair commercial practices
  8. Dispute resolution and redress



# Digital content products

- Analytic report published (2013)
- Policy guidance being developed
  1. Products usage and access conditions (contractual information, interoperability, copyright, geographical restrictions)
  2. Privacy (especially with “apps”)
  3. Fraudulent, misleading and unfair commercial practices
  4. Children
  5. Dispute resolution and redress
  6. Digital competence





# Participative e-commerce

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- Analytic report being prepared
  - Misleading or inaccurate offers
  - Misleading or fraudulent endorsements and testimonials
  - Product conformity and availability
  - Privacy
  - Security
  - Dispute resolution
  - Redress



## Ministerial in 2016

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- Possible consumer topics to be discussed
  - Silver economy?
  - Mobile commerce issues?
  - Dispute resolution and redress in border sales?
  - Terms and conditions attached to sale and use of, in particular, digital content products?
  - Unfair commercial practices; unfair contract terms?
  - Other?



# International co-operation

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- How to become involved?
  - OECD meetings (*ad hoc* or on ongoing basis)
    - 4-6 November 2013 meeting
      - Mobile and online commerce policy guidance
      - Digital content products policy guidance
      - Participative e-commerce (analytic report plus possible roundtable)
      - “Big data”
      - Ministerial meeting in 2016
  - ICPEN
  - ISO



# Contact us!

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