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**DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY
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**CONSUMERS IN THE ONLINE MARKETPLACE: THE OECD GUIDELINES THREE YEARS
LATER**

**Report by the Committee on Consumer Policy on the Guidelines for Consumer Protection in the Context
of Electronic Commerce**

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FOREWORD

The *OECD Guidelines for Consumer Protection in the Context of Electronic Commerce* (the “Guidelines”) set out the core characteristics for effective consumer protection for online business-to-consumer (B2C) transactions. Developed by the Committee on Consumer Policy (CCP), and approved by the OECD Council on 9 December 1999, the Guidelines aim to ensure that consumers are no less protected online than when they buy from their local store or order from a catalogue. They also aim to encourage consumers to take advantage of all tools available to strengthen their position as buyers. In approving the Guidelines, the Council instructed the CCP to exchange information on progress and experiences in implementing the Guidelines and report to the Council in 2002. This report summarises the results of implementation activities in OECD countries and includes in an Appendix a table with selected activities organised on a country-by-country basis. It also touches on the emerging role of consumers in the digital economy, describes a number of initiatives through which the CCP has itself continued to address issues raised in the Guidelines, and identifies several areas that the Committee has singled out for future attention.

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TABLE OF CONTENTS

| | |
|---|----|
| I. Introduction..... | 4 |
| Consumers in the global digital economy | 4 |
| OECD work on e-commerce and consumer policy | 5 |
| Development of the Guidelines | 6 |
| II. Implementation of the Guidelines | 6 |
| Global co-operation | 7 |
| Public education and information initiatives | 7 |
| Self-regulation, codes of conduct, and trustmark programmes | 8 |
| Laws and regulations | 8 |
| III. Follow-up work by the Committee on Consumer Policy..... | 8 |
| Payment cardholder protections | 8 |
| Alternative dispute resolution..... | 9 |
| Cross-border enforcement co-operation | 9 |
| Education, awareness and outreach | 10 |
| IV. Future directions | 10 |
| APPENDIX: SELECTED MEMBER COUNTRY IMPLEMENTATION ACTIVITIES | 15 |

**CONSUMERS IN THE ONLINE MARKETPLACE:
THE OECD GUIDELINES THREE YEARS LATER**

**REPORT TO THE OECD COUNCIL ON THE GUIDELINES FOR
CONSUMER PROTECTION IN THE CONTEXT OF ELECTRONIC COMMERCE**

I. Introduction

Consumers in the global digital economy

The three years that have elapsed since the release of the *OECD Guidelines for Consumer Protection in the Context of Electronic Commerce* (the “Guidelines”) have seen a gradual evolution in the B2C online marketplace. Much attention has been focussed on the dramatic rise and fall of market valuations for Internet firms and, in the aftermath of the “dot com” crash, it would be easy to overlook the consistently upward pattern of growth in online retail sales. For example, official second quarter 2002 figures for retail e-commerce in the United States are up 24% compared to the same period in 2001 and the 2001 figures were 30% higher than those for 2000.¹ Retail Internet sales for 2001 in Norway are up 155% from 2000, and Canada reported an increase of 67% from 2000 to 2001.² In the UK, online sales to households increased by 53% from 2000 to 2001.³ Unofficial estimates of European consumer spending online suggest a growth rate of 48% in 2001 and 70% in 2000.⁴

Nevertheless, much of the potential for B2C e-commerce has yet to be realised. There may be a number of reasons for this, but an important factor appears to be consumers’ continued concerns about shopping online.⁵ In January 2002, Consumer WebWatch reported that only three in ten consumers trust Web sites that sell products or services.⁶ A July 2001 survey by the Markle Foundation reports that only 36% of individuals believe that they have the same rights and protections when they are on the Internet as when they are not.⁷ Research conducted by Consumers International in 2001 suggests that, although the situation is better than in 1999, improvements are still needed in the information provided to consumers on Web sites and in the reliability of order fulfilment.⁸

The concerns identified in opinion surveys have been accompanied by increases in consumer complaints to government agencies about Internet problems. In 2001, consumer complaints about online problems accounted for 41% of all fraud complaints received by Consumer Sentinel, a joint US-Canadian complaint database. The percentage of Internet-related complaints in Consumer Sentinel has risen steadily: from 11% in 1998, to 26% in 1999, to 31% in 2000, to 41% in 2001.⁹

Available data shows the confidence deficit to be exacerbated in the cross-border context. A recent Eurobarometer report showed that only 32% of European consumers feel well protected in a cross-border dispute as compared with 56% when the dispute is domestic.¹⁰ A survey of UK consumers revealed that more than 60% would not engage in cross-border e-commerce with a company they did not already know.¹¹ Problem areas identified in the consumer complaints filed with econsumer.gov — a new inter-governmental initiative for handling cross-border e-commerce complaints — include merchandise never received, misrepresentations about the product or service, and inability to contact the merchant.¹² The volume of cross-border complaints is also increasing. About 13% of complaints logged in Consumer Sentinel in 2001 had a cross-border element, up from only 1% in 1995. The 15 000 cross-border Consumer Sentinel complaints in 2001 reported some USD 30 million in consumer losses.¹³

Of course, economic data, opinion surveys, and consumer complaints do not provide a complete picture of the impact of e-commerce on the consumer marketplace. Consumers have been exposed to the power of the Internet to provide easier access to more complete product information than is typically available offline. The opportunity to purchase at a distance vastly expands the variety of goods and services potentially available. The convenience of shopping from home is complimented by round-the-clock opening hours. The particular characteristics of the online medium permit consumers to experience individually tailored and personalised treatment from businesses. Some online businesses have responded with mass customisation services (*e.g.* “built to order” computers from dell.com), others offer personally tailored advice about what to buy (*e.g.* “personalised recommendations” from amazon.com), while still others permit direct consumer input into the price charged (*e.g.* “name your own price” service from priceline.com).

The result has been a gradual shift in consumer expectations and an increasingly bottom-up (consumer-demand driven) online marketplace. The changing nature of consumer expectations online should spill over into other aspects of the economy. The new consumer imperative will push businesses online and offline to react more quickly to changing consumer demands, encouraging competition, and rewarding companies that are most successful in meeting these challenges. Taking full advantage of the promises of the digital marketplace, however, requires a high level of consumer trust, and more successful businesses will be those that demonstrate a greater concern for bolstering consumer confidence. The OECD and the Committee on Consumer Policy (CCP) have been engaged since the early days of e-commerce in promoting policies aimed at helping to build that trust. The trust-building imperative, particularly in the cross-border context, is no less compelling today than in those early days. More broadly, the recent economic slowdown in OECD economies serves to illustrate the continued importance of consumer spending – and therefore consumer confidence – to a healthy economy.

OECD work on e-commerce and consumer policy

The OECD’s *Action Plan for Electronic Commerce* [SG/EC(98)9/FINAL] was endorsed by Ministers in Ottawa in 1998, and revolves around three themes: building trust for users and consumers; establishing ground rules for the digital marketplace; and enhancing the information infrastructure for electronic commerce. With respect to the first of these themes, Ministers stated their intention to “ensure that consumers who participate in electronic commerce are afforded a transparent and effective level of protection for electronic transactions” through a *Declaration on Consumer Protection in the Context of Electronic Commerce* (Ottawa Declaration) [DSTI/CP(98)12/FINAL]. Recognising that the inherently international nature of the electronic marketplace requires a global approach to consumer protection, the Ottawa Declaration noted the work of the CCP in this area and urged the OECD to produce a set of guidelines to address these issues.

Since 1969, the CCP has brought together consumer policy officials from member country capitals to set the international agenda for addressing the policy challenges arising out of an increasingly global consumer marketplace. The Committee has a mandate to develop principles for an “efficient, transparent, and fair global marketplace for consumers” and mechanisms “for the implementation of these principles and for the effective enforcement of consumer laws in an age of global electronic commerce.”¹⁴ The CCP remains the only inter-governmental forum that meets regularly to address consumer policy concerns, and there is no comparable venue for addressing the core consumer policy issues that are shaping the global marketplace.¹⁵ The Committee’s prior efforts to build consumer trust in the global marketplace and its inclusive working methods (side by side with business and consumer groups) equipped it well for the task of developing guidelines for consumer protection online.¹⁶

Development of the Guidelines

Building on the Ottawa Declaration, the Committee developed *Guidelines for Consumer Protection in the Context of Electronic Commerce*. Agreement emerged after 18 months of discussion and negotiation, and the results were adopted by the Council in December 1999 [C(99)184/FINAL]. The result has been a major success: international consensus on the core characteristics of effective consumer protection for e-commerce. The Guidelines were published in booklet form by the OECD in English, French, and German, and translations are available on the OECD Web site in 17 languages. A set of frequently asked questions (FAQs) was prepared to accompany the release of the Guidelines, which generated press around the world.¹⁷

The Guidelines reflect existing legal protection available to consumers in more traditional forms of commerce; encourage private sector initiatives that include participation by consumer representatives; and emphasise the need for co-operation among governments, businesses and consumers. They aim to encourage: fair business, advertising and marketing practices; clear information about an online business's identity, the goods or services it offers and the terms and conditions of any transaction; a transparent process for the confirmation of transactions; secure payment mechanisms; fair, timely and affordable dispute resolution and redress; privacy protection; and consumer and business education. The Guidelines conclude with sections on implementation and global co-operation.

II. Implementation of the Guidelines

Since the release of the Guidelines, the Committee has been working to ensure their successful implementation and assess their effectiveness. The Guidelines were greeted with praise by all stakeholders, from business and consumer groups alike — partly a tribute to the inclusive process through which they were negotiated. More importantly, they have proved influential in member countries. The majority of member countries have developed consumer or business education materials based on the Guidelines. In many countries, the Guidelines have served as a basis for the development of B2C codes of conduct, trustmark, and self-regulatory programmes. Many countries have also been reviewing their laws and regulations to ensure that consumers are protected online, as is recommended in the Guidelines. The European Commission has embarked on numerous initiatives that parallel and reinforce elements of the Guidelines. Outside the OECD, consumer protection work in the Asia-Pacific Co-operation (APEC) and the Free Trade Area of the Americas (FTAA) has also taken account of the Guidelines. APEC's Electronic Commerce Steering Group is now developing its own recommendation for consumer protection online that appears to incorporate many elements of its OECD counterpart.¹⁸

To celebrate the first anniversary of the Guidelines, the CCP held a workshop in Berlin, bringing together more than 120 representatives from government, business and consumer organisations in member countries and non-member economies to exchange views on implementation efforts and share ideas about the next steps.¹⁹ A report on the proceedings was prepared that includes a summary of the main points that emerged from the discussions.²⁰ In conjunction with the workshop, the Committee also released a report describing the various efforts undertaken in member countries to implement the Guidelines. That report has been updated periodically, and the discussion below provides a flavour of the types of implementation activities undertaken to date. A country-by-country grouping of selected activities is attached as an Appendix.

Global co-operation

Global co-operation is an area of significant importance in implementing the Guidelines. One of the more ambitious examples is a joint project of a number of OECD countries developed through the International Marketing Supervision Network (IMSN). The launch of “econsumer.gov” in April 2001 marked a major step towards addressing a number of aspects of the Guidelines, particularly cross-border enforcement co-operation and consumer education and awareness. The project has two components: (i) a public Web site through which consumers can file cross-border e-commerce complaints, learn about consumer protection in other countries, and obtain tips about shopping safely on line; and (ii) a password-protected government Web site where law enforcement agencies can access econsumer.gov complaints and communicate confidentially with agencies from other countries. With 17 countries now participating it is anticipated that the econsumer.gov will only increase in importance as additional consumers learn about it.

On the law enforcement front, there has been significant co-operation, including a number of bilateral and multilateral co-operation agreements. For example, the ombudsmen of Denmark, Finland, Norway, and Sweden have established closer co-operation by agreeing to conduct lawsuits on behalf of each other and exchange information about marketing across national borders.²¹ Global co-operation of a different type is involved in Internet sweep days. Often co-ordinated through the IMSN, international sweeps have engaged over 150 different national consumer affairs enforcement bodies in at least 30 countries. In addition to serving law enforcement objectives, sweep days also provide educational information to businesses through the use of notices sent to the Web sites identified during a sweep.²²

Public education and information initiatives

Education and awareness are key elements of the Guidelines, as is evidenced by the multitude of stakeholder implementation efforts in this area. Upon their release, many countries issued press releases and distributed the Guidelines to small and large businesses, business associations and consumer groups. Some countries held workshops to educate businesses and consumers on the principles of the Guidelines. In Norway and Switzerland, the government expanded its education initiatives into the school systems in an effort to teach teenagers and children about their rights and responsibilities as consumers, including in the electronic marketplace.²³

The majority of member countries developed consumer and business information and education materials based on the Guidelines. Most of these materials are available on the respective country’s Web sites and the OECD Web site.²⁴ In several countries, special Web sites were developed that are dedicated to educating consumers and businesses on effective consumer protection, with links to other related information. Business associations, individual companies, and consumer groups also developed public education and information materials and campaigns, which included providing information through traditional media sources, banner advertisements and links, and posting tips for consumers on their own company and consumer association Web sites.

In some countries, business and consumer groups worked together to develop joint education and information campaigns. For example, in the United States, MasterCard and the National Consumers League launched a joint education initiative, “Be e-Wise!” which included a printed and online brochure that presents the benefits and risks of online shopping, online shopping tips, and other resources for similar information.²⁵ In other countries, the government and private sector have joined forces to provide education and information. In Finland, the Finnish Information Technology Development Center has in

co-operation with Consumer Ombudsman developed both consumer and business information, which refers to the Guidelines.²⁶

Self-regulation, codes of conduct, and trustmark programmes

In many countries, the Guidelines served as a basis for governmental and private sector development of business-to-consumer codes of conduct, trustmark, and self-regulatory programmes. For example, in the United Kingdom, the government worked with the Electronic Business Alliance and Consumers Association to develop a non-profit organisation, TrustUK, to accredit codes of conduct for electronic commerce, which meet minimum standards and offer consumers good protection.²⁷ Among the codes accredited to date is Webtrader, a program developed and administered by the consumers organisations of Belgium, France, Italy, the Netherlands, Portugal, Spain and the United Kingdom.²⁸ In the United States, the Better Business Bureau's BBBOnline Reliability Seal programme allows companies to display the seal on their Web site once they have been evaluated and confirmed to meet programme requirements. International co-operation in the development of joint trustmark programmes and consumer complaint systems is evident in agreements among associations like the BBBOnline, Eurochambres, Federation of European Direct Marketing, Japanese Direct Marketing Association, Japanese Chamber of Commerce and Industry, and the Korean Institute for Electronic Commerce.²⁹ Numerous other code programmes have been put into existence, a number of which are evaluated in a recent European Commission study.³⁰

Laws and regulations

Beyond encouraging self-regulatory initiatives, the Guidelines also recognise the need for member countries to review, and, if necessary, adopt and adapt laws to ensure that consumers are protected in the online environment. To this end, the European Union (EU) and its member states have reviewed and updated their laws to reflect elements of the Guidelines.³¹ Likewise, in Canada, the national and provincial governments have been working towards harmonised consumer protection laws that reflect the Guidelines. Similar initiatives have been completed or are underway in other member countries.

III. Follow-up work by the Committee on Consumer Policy

The release of the Guidelines was only a first step for the Committee in its efforts to help build consumer trust online. In addition to actively encouraging stakeholder implementation of the Guidelines, the CCP has undertaken its own efforts to examine in greater detail particular areas covered by the Guidelines. Particular emphasis has been placed in the areas of payment cardholder protections, alternative dispute resolution, and cross-border enforcement co-operation. Attention has also been devoted to educating stakeholders about various aspects of the Guidelines. Finally, the Committee has held discussion and exchanged information on emerging online issues like consumer-to-consumer (C2C) transactions via online auction sites, and online marketing and advertising to children.³²

Payment cardholder protections

The Guidelines highlight the important role of payment cardholder protections in the development of the online marketplace. Opinion surveys consistently identify consumer fears about the safety of using payment cards online as an obstacle to greater online shopping. Policy makers around the world are taking these concerns seriously. Stakeholders have developed a number of initiatives aimed at combating payment card fraud, improving the security of online transactions, and boosting consumer protections for cardholders. The CCP has recognised the need to educate consumers about protections for payment

cardholders and the safe use of payment cards online, which could serve to boost consumer confidence in e-commerce. In June 2002, the CCP issued a *Report on Consumer Protections for Payment Cardholders* [DSTI/CP(2001)3/FINAL]. The report represents a sustained effort by the Committee to analyse the protections available to users of payment cards and publicise the availability of such protections to consumers. In preparing the report, the Committee conducted a survey of legal and other consumer protections for payment cardholders in member countries. It also held roundtable meeting devoted to the issue in Berlin in March 2001. The Report concludes with a section highlighting the importance of cardholder education and the Committee's own contribution to this issue: an educational piece entitled "Using Payment Cards Online: Frequently Asked Questions".³³

Alternative dispute resolution

The Guidelines stress the importance of developing effective redress mechanisms for problems arising out of cross-border disputes. Of particular interest is alternative dispute resolution (ADR), which consists of practical out-of-court methods involving an impartial third-party to resolve consumer disputes in a quick and inexpensive way. Working jointly with the OECD's Working Party on Information Security and Privacy, the CCP has completed several projects addressing the issues surrounding ADR. In December 2000, the OECD held a conference on online ADR organised with the International Chamber of Commerce (ICC) and the Hague Conference on Private International Law (HCOPIL) in The Hague. The focus of the discussions was small value B2C disputes, and a report on the proceedings summarises the discussion and main points.³⁴

The Conference in The Hague was followed up with a work programme focused on legal and educational aspects of ADR. The legal part of the programme aimed to generate an overview of national legal regimes applicable to B2C ADR in member countries, with a view to understanding if and how existing legal provisions impact recourse to ADR. A report was developed on the basis of member country responses to a survey on existing laws and regulations related to ADR.³⁵ The educational aspect of the programme aimed to inform stakeholders about the availability of ADR and its potential benefits. A set of questions was produced that are designed to help consumers determine whether online ADR can help them resolve a dispute.³⁶ Finally, the OECD helped to produce further information regarding the availability of ADR by assisting the ICC to produce an inventory of ADR programs world-wide. The resulting report and inventory are available on the ICC Web site.³⁷

Cross-border enforcement co-operation

Part IV of the Guidelines emphasises the importance of global co-operation in general, and highlights in particular the need for enforcement co-operation to combat deceptive and unfair marketing practices that dilute consumer confidence in electronic commerce. In March 2000, the CCP held a Forum Session to explore the challenges and possibilities associated with international co-operation. Taking the experiences of the United States and Canada as a practical example, the session provided an overview of ongoing efforts to combat the growing problem of cross-border fraud and deception.³⁸ Two years later the Committee held a follow-up Forum Session, during which it discussed the challenges identified in a preliminary report on this topic, along with the results of a survey on the authority of consumer protection enforcement agencies in member countries.³⁹ Considerable attention at the session was also devoted to the IMSN Findings on Cross-border Remedies, a succinct statement of the enforcement challenges facing IMSN members.⁴⁰ This is an area where close co-ordination between the CCP and the IMSN has and will continue to be essential.

Education, awareness and outreach

The Guidelines make clear that education and awareness are essential elements to building consumer trust online, and the Committee has embarked on a variety of initiatives in this regard. The Committee developed a set of examples to illustrate best practices under the Guidelines. This document helps provide practical and concrete information to educate businesses and consumers about the Guidelines. These best practice examples were released in July of 2002.⁴¹ To complement the Guidelines, the CCP prepared an *Inventory of Public Sector Consumer Protection Laws, Policies and Practices Applied to Electronic Commerce*.⁴² This document has assisted stakeholders in reviewing public-sector laws and policies in connection with the Guidelines. In addition, the educational projects attached to the work on ADR and payment cardholder protections provide a tangible reminder of the CCP commitment to education.

To help consumers, businesses, and governments gain more information about online consumer protection, the CCP developed two new sections for its Web site – www.oecd.org/sti/consumer-policy. The first section contains an online catalogue of educational and information initiatives in member countries.⁴³ The second section contains links to the consumer protection authorities of member countries.⁴⁴ The site also includes copies of presentations of the latest B2C statistics that are regularly presented and discussed at CCP meetings.⁴⁵

CCP outreach activities have also been an important aspect of its follow-up work. The Guidelines specifically call for member countries to consult, co-operate and facilitate information sharing with non-members on consumer protection issues and invites non-member economies to take account of the Guidelines in reviewing their own consumer protection policies. The CCP has acted on this mandate by involving non-member economies in its public workshops on ADR and the Guidelines. It has also facilitated outreach to non-members through interaction with other international organisations like APEC, FTAA, United Nations Economic Commission for Europe (UNECE), the ISO Committee on Consumer Policy Committee (COPOLCO), and the Hague Conference on Private International Law (HCOPIL).

IV. Future directions

The number and variety of implementation initiatives launched during the three-year period since the Guidelines were completed suggests that the Guidelines have already made an important contribution to ensuring that online consumers are no less protected than those in the offline world. It is equally clear, however, that the project of building consumer trust in the online marketplace will require a long-term commitment by all stakeholders. Although there are now a number of international fora considering issues related to consumer protection online, the CCP will continue to have a crucial role in encouraging and reviewing implementation of the Guidelines. Moreover, in a number of areas the Committee is poised to make additional contributions itself. Highlights from the CCP work programme for 2003-2004 include work on consensus-building on core consumer protections, cross-border enforcement co-operation, and the impact of new technologies and emerging business models. In addition, the Committee will continue to assess the impact and effectiveness of the Guidelines, in part by organising a public forum on the five-year anniversary of the release of the Guidelines.

One area for continued attention is consensus-building on core consumer protections, which can serve the important function of providing predictability to both consumers and businesses in conducting cross-border e-commerce. The Guidelines reflect high-level agreement among member countries about a number of important principles for consumer protection. There remain, however, differences in the manner in which member countries implement the Guidelines, and differences in the substantive consumer laws in OECD countries. This fact is reflected in the Guidelines recommendation in Part Four, which explicitly calls for member countries to work toward building consensus on core consumer protections. The CCP will

focus first on the most promising area for building consensus: domestic laws that aim to protect consumers from fraud and hard-core deception. It will attempt to build consensus in this area by developing a recommendation focussed on enforcement co-operation to combat such practices. The CCP will then work toward building consensus in broader areas, such as laws aimed at combating deceptive and unfair commercial practices generally.

An important area of current and future attention is cross-border law enforcement co-operation. Member country bodies charged with enforcing consumer protection laws were set up for a largely domestic marketplace. The increasingly cross-border B2C marketplace poses significant challenges to the existing enforcement structures. Part Four of the Guidelines emphasises the importance of cross-border co-operation in general, and highlights in particular the need for co-operation to prevent deceptive and unfair marketing practices that dilute consumer confidence in e-commerce. More specifically, a number of issues have emerged from recent Committee work in this area, including the need for: increased information sharing among jurisdictions; broader authority to protect domestic consumers from foreign businesses engaged in fraud and hard-core deception; broader authority to protect foreign consumers from domestic businesses engaged in fraud and hard-core deception; better ability to halt such conduct; and better ability to obtain monetary redress for consumer victims. Addressing these challenges is a priority for the CCP and work is underway on a recommendation designed to enhance the effectiveness of enforcement efforts to stop and prevent cross-border fraud and hard-core deception. It is intended that this recommendation will be submitted to the OECD Council for approval in the coming months, and will prove to be an important contribution in this area.

New technologies and emerging business models provide exciting opportunities for businesses and consumers alike. For example, mobile commerce offers the promise of providing services to consumers where and when they want them, while increased access to broadband paves the way for innovative service offerings. However, such developments can also present novel consumer protection issues that, if not addressed, can undermine consumer confidence and impede their success. By obtaining timely information about consumer protection concerns raised by technological developments and emerging business models, the CCP will position itself to contribute to the policy debate, and thereby to assist in bringing their full benefits to member country economies.

Finally, December 2004 will mark the five-year anniversary of the *Guidelines for Consumer Protection in the Context of Electronic Commerce*, an appropriate time to take stock of their effectiveness. The first stock-taking exercise culminated in 2001 with a public conference in Berlin. As a follow-up, the CCP intends to evaluate and discuss the Guidelines in the context of developments in the online marketplace over the previous five years and issue a public report. A public conference will be held in late 2004 to assess the impact of the Guidelines. The conference will be preceded by a survey of implementation activities and followed by the publication of a report describing the effectiveness of efforts to implement the Guidelines.

NOTES

1. See www.census.gov/mrts/www/current.html.
2. OECD, ICT database, August 2002.
3. National Statistics, “2001 Online Trading by UK Business”, 8 October 2002, <http://www.statistics.gov.uk/pdfdir/ecom1002.pdf>.
4. See www.nua.com/surveys/analysis/graphs_charts/comparisons/consumer_spending_europe.html. Compared to the overall volume of retail sales, online sales remain small – often less than 1% of total retail sales. For example, for 2000, the online retail sales amounted to 1.04% of total retail sales in the United Kingdom, 0.9% in the United States, 0.4% in Canada, and 0.1% in France [OECD Information Technology Outlook: ICTs and the Information Economy (2002), p. 142]. However, given that overall retail sales amount to more than half of total economic output, even a tiny percentage of overall retail sales is significant (e.g. USD 29 billion in retail e-commerce in 2000 in the United States). See www.census.gov/eos/www/papers/estatstext.pdf.
5. For example, according to Ernst & Young’s “Global Online Retailing” report, released in January of 2001, high shipping costs are the biggest concern of online buyers around the world. See www.ey.com/global/Content.nsf/US/Media - Release - 01-15-01DC.
6. Princeton Survey Research Associates (January 2002), “A Matter of Trust: What Users Want from Web Sites”, p. 1, available at www.consumerwebwatch.org/news/1_abstract.htm.
7. Markle Foundation (July 2002), “Toward a Framework for Internet Accountability”, p. 31, available at www.markle.org/news/news_pressreport_index.stm.
8. See, Consumers International (September 2001), “Should I Buy? Shopping Online 2001: An International Comparative Study of Electronic Commerce”, available at www.consumersinternational.org/CI_Should_I_buy.pdf.
9. According to a survey of consumer protection agencies conducted by the National Association of Consumer Agency Administrators (NACAA) and the Consumer Federation of America (CFA), the average number of Internet complaints received in 2000 was up 62% from the prior year, following an increase of 38% in 1999, 39% in 1998, and 23% in 1997. The cumulative growth during this period was 382%. See www.nacaanet.org/surveyreport01.htm.
10. “Flash Eurobarometer 117: Consumer Survey” (January 2002), available at http://europa.eu.int/comm/public_opinion/flash/fl117_en.pdf.
11. UK National Consumer Council (August 2000), “E-commerce and Consumer Protection”, available at www.ncc.org.uk/pubs/pdf/ecommerce.pdf.
12. See www.econsumer.gov.
13. See “FTC Staff Comments on EU Green Paper”, (6 February 2002) available at http://europa.eu.int/comm/consumers/policy/developments/fair_comm_pract/responses/other_governmental/us_trade.pdf.
14. At the end of 2001 the OECD Council considered the work of the CCP and renewed the mandate of the CCP through 2004. The terms of reference of the new mandate highlight both the global importance of this work (putting increased emphasis on the importance of outreach to non-member economies) and its inter-relatedness with other aspects of economic policy (emphasising cross-linkages with other work within the OECD). See <http://www.oecd.org/pdf/M00017000/M00017725.pdf> at p. 27.

15. There are regional organisations that take up consumer policy issues. For example the work of the European Commission's Health and Consumer Protection Directorate-General often parallels and reinforces Committee efforts. See http://europa.eu.int/comm/consumers/index_en.html. The E-commerce Steering Group of the Asia Pacific Economic Co-operation (APEC) - www.ita.doc.gov/td/industry/otea/ecommerce/apec/ - and a working group of the Free Trade Area of the Americas (FTAA) - www.ftaa-alca.org/SPCOMM/COMMEC_E.ASP - also address e-commerce related consumer policy issues. And particular projects of the other organisations with wider international representation sometimes touch on consumer issues. For example, a draft Convention being negotiated under the auspices of the Hague Conference on Private International Law (HCOPIL) contains a provision on consumer contracts: www.hcch.net/e/workprog/jdgm.html. The United Nations Economic Commission for Europe (UNECE) has been considering issues related to online dispute resolution for consumer disputes, www.unece.org/press/pr2002/02opa09e.htm. Other fora include bodies that do work on standards like the ISO Committee on Consumer Policy Committee (COPOLCO), www.iso.ch/iso/en/aboutiso/isostructure/COPOLCO.html.
16. Even prior to its work on electronic commerce and the Guidelines, the CCP focused attention on the challenges relating to the increasingly global character of the consumer marketplace through projects on delivery logistics for consumer goods, consumer redress, electronic fund transfers, and mail order trading.
17. The FAQs are available at www.oecd.org/pdf/M000014000/M00014340.pdf.
18. A draft is available at www.ita.doc.gov/td/industry/otea/ecommerce/apec/meeting/022302/draft_consumer_protection_guidelines020402.htm.
19. Non-member economies represented included Argentina, Chile, China, Hong Kong (China), Malaysia, Slovenia, South Africa and Chinese Taipei.
20. The Report of the Workshop and other Workshop materials are available at www.oecd.org/EN/document/0,,EN-document-44-1-no-20-1246-0,00.html.
21. The agreement is available at www.fs.dk/uk/acts/misc/noraftal.htm. A copy of the press release describing the agreement is available at www.fs.dk/uk/misc/p010618e.htm.
22. Sweeps occur on a chosen date or over a particular time period when staff of an organisation spend the day(s) looking at Web sites and trying to find sites that appear to raise concerns or fail to meet identified principles. The sites identified are then sent educational e-mail messages that their sites fail to meet the identified principles or the site appears to be engaged in an activity that may be regulated. Where a possible violation of a law may be at issue, the e-mail message also refers the site to the regulatory body to obtain information on how to comply with the appropriate laws or regulations.
23. In co-operation with the National Centre for Teaching Aids/School-net (<http://skolenetnet.nls.no/>) the Norwegian Consumer Council introduced consumer information related to the Internet into the school systems. School-net is targeted to teachers and students in the compulsory primary and secondary school (ten-year) as well as secondary education schools at advanced level. Consumer education is treated as a separate subject within economics and information processing.
24. See <http://www.oecd.org/EN/countrylist/0,,EN-countrylist-44-1-no-no-106-0,00.html>.
25. See www.nclnet.org/BeEWISBroch.html.
26. Information from the Centre is available at www.tieke.fi/kauppa/aapinen and www.tieke.fi/kauppa/index.htm. Information from the Consumer Agency and Ombudsman is available at www.kuluttajavirasto.fi.
27. See www.trustuk.org.uk.
28. See www.which.net/webtrader.
29. See www.bbonline.com/about/press/2002/022702.asp.
30. European Commission Joint Research Centre, "E-commerce and Consumer Protection: A survey of Codes of Practice and Certification Processes" (2001).

31. Official transposition notifications are listed at http://europa.eu.int/celex/htm/celex_en.htm. European Union Directives related to consumer protection in electronic commerce, include the Electronic Commerce Directive (2000/31/EC), Misleading Advertising Directive (97/55/EC), Directive on Unfair Contract Terms (93/13/EC), and the Distance Selling Directive (97/7/EC).
32. The discussion of online auctions was held in September of 2000 on the basis of a background document that provided an overview of the legal and policy issues related to online C2C transactions. A follow-up paper was prepared for CCP discussion in February 2001 by the Delegation of Norway. The examination of online advertising and marketing directed to children resulted in a public report, [DSTI/CP(99)1/FINAL], available at [www.oalis.oecd.org/olis/1999doc.nsf/LinkTo/DSTI-CP\(99\)1-FINAL](http://www.oalis.oecd.org/olis/1999doc.nsf/LinkTo/DSTI-CP(99)1-FINAL). A follow-up paper was prepared for CCP discussion in February 2001 by the Delegation of Norway.
33. The report is available at [www.oalis.oecd.org/olis/2001doc.nsf/linkto/dsti-cp\(2001\)3-final](http://www.oalis.oecd.org/olis/2001doc.nsf/linkto/dsti-cp(2001)3-final).
34. The report and other conference materials are available at www.oecd.org/EN/document/0,,EN-document-44-1-no-20-1300-0,00.html.
35. The report "Legal Provisions Related to Business-to-Consumer ADR in Relation to Privacy and Consumer Protection" [DSTI/ICCP/REG/CP(2002)1/FINAL] is available at [www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-iccp-reg-cp\(2002\)1-final](http://www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-iccp-reg-cp(2002)1-final).
36. See "Resolving E-commerce Disputes Online: Asking the Right Questions about ADR" [DSTI/ICCP/REG/CP(2002)2/FINAL], available at [www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-iccp-reg-cp\(2002\)2-FINAL](http://www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-iccp-reg-cp(2002)2-FINAL).
37. See www.iccwbo.org/home/ADR/inventoryhome.asp. The ICC press release and a report on the survey are available at www.iccwbo.org/home/news_archives/2002/stories/adr.asp.
38. A report on the proceedings is compiled in DSTI/CP(2000)6/FINAL and is available at [www.oalis.oecd.org/olis/2000doc.nsf/LinkTo/DSTI-CP\(2000\)6-FINAL](http://www.oalis.oecd.org/olis/2000doc.nsf/LinkTo/DSTI-CP(2000)6-FINAL).
39. "Preliminary Report from the Cross-border Remedies Working Group".
40. The IMSN findings are available at www.imsnrice.org/imsn/crossborder_findings.htm.
41. "Best Practice Examples Under the OECD Guidelines on Consumer Protection in the Context of Electronic Commerce" [DSTI/CP(2002)2/FINAL], available at [www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-cp\(2002\)2-final](http://www.oalis.oecd.org/olis/2002doc.nsf/linkto/dsti-cp(2002)2-final).
42. [DSTI/CP(2000)5/FINAL]. Available at [www.oalis.oecd.org/olis/2000doc.nsf/LinkTo/DSTI-CP\(2000\)5-FINAL](http://www.oalis.oecd.org/olis/2000doc.nsf/LinkTo/DSTI-CP(2000)5-FINAL).
43. Available at www.oecd.org/EN/countrylist/0,,EN-countrylist-44-1-no-no-106-0,00.html.
44. Available at www.oecd.org/EN/countrylist/0,,EN-countrylist-44-1-no-no-100-0,00.html.
45. Available at www.oecd.org/EN/statistics/0,,EN-statistics-44-1-no-no-no-0,00.html.

APPENDIX: SELECTED MEMBER COUNTRY IMPLEMENTATION ACTIVITIES

| Countries | Implementation activities |
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| Australia | <p>The <i>Guidelines for Consumer Protection in the Context of Electronic Commerce</i> (the "Guidelines") were welcomed by major heads of consumer organisations and the head of the Australian Chamber of Commerce and Industry. The Guidelines form the basis for the Australian E-commerce Best Practice Model Building Consumer Sovereignty in Electronic Commerce: A Best Practice Model for Business. The Best Practice Model was launched on 18 May 2000. The Guidelines and the Australian E-commerce Best Practice Model are both promoted through a new Web site. (http://www.ecommerce.treasury.gov.au). A brochure entitled "Ten Things to Check Before Shopping on the Internet", which is based on the Guidelines, has also been distributed to Australian consumers.</p> |
| Austria | <p>An inter-ministerial discussion group, which has been meeting every two months for a year, discusses subjects relating to e-commerce. A brochure, which has been produced on distant-selling in general, will be updated to include the Guidelines. This year's yearbook (published biannually) includes an article on the Directive for E-commerce and the Guidelines are quoted. A non-profit institute for applied telecommunications has taken an initiative to develop an Internet ombudsman. The project started in the fall of 2001 and is supported by several ministries.</p> |
| Belgium | <p>Belgium provided all major stakeholders in both the public and private sectors with copies of the Guidelines. Belgium intends to submit a draft law on electronic commerce and distance selling. In addition, the Belgian consumer group <i>Tests Achats</i> is participating in the Which? WebTrader international code program.</p> |
| Canada | <p>The Electronic Commerce and Consumers Working Group, a multi-stakeholder group representing consumers, businesses and government [including the Office of Consumer Affairs (OCA)] used the Guidelines as a reference in development of the <i>Principles for Consumer Protection in Electronic Commerce: A Canadian Framework</i>. The Guidelines have been highlighted in speeches by the Canadian Minister of Industry and in media contacts related to the Canadian Principles. As part of the first phase of the COTP, the Electronic Commerce and Consumers Working Group has developed A <i>Code of Practice for Business to Consumer Electronic Commerce</i> based on the Canadian Principles and the Guidelines. The working group is currently examining methods of operationalising this Code, including the possible establishment of a Canadian trustmark. The second phase of the COTP is the initiation of the development of a national standard for consumer protection in electronic commerce.</p> <p>A consumer portal - the Canadian Consumer Information Gateway - was created to provide consumers with easy access to comprehensive consumer information provided by 38 federal institutions and over 250 provincial and territorial partners.</p> <p>OCA has developed information products to educate business and consumers on the Guidelines. In May of 2001, federal, provincial and territorial ministers responsible for consumer affairs approved a new approach to harmonised consumer protection legislation in electronic commerce.</p> |

| Implementation activities | |
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| Czech Republic | <p>While the level of consumer e-business in the Czech Republic is rather low, there is a governmental task group devoted to promoting electronic commerce. The group is in charge, for example, of co-ordination of education projects and of subsidies for electronic commerce for small and medium-sized enterprises. As far as the implementation of the relevant EU legislation is concerned, the Czech Republic has been working on an amendment to the Electronic Signatures Act as well as on an amendment to the Civil and Commercial Codes in order to comply with the provisions of the Directive on the Electronic Commerce before joining the European Union.</p> <p>A common position paper of the Nordic consumer ombudsman has been discussed and circulated within the network of IMSN. This paper has been used in negotiations between Danish businesses and consumer organisations and the Ministry of Business and Industry and the Ministry of Research with a view of trying to adopt guidelines for good practice in trading and marketing on the internet. An "electronic mark" system will be created where enterprises that want to show that they adhere to this system will show the mark so that the consumer can see that they follow these principles. A draft bill has been introduced in the Danish Parliament, according to which a business company is not allowed to send electronic mail to consumers unless the individual consumers have previously allowed the enterprise to do so.</p> |
| Finland | <p>The Finnish Information Technology Development Center has, in co-operation with the Consumer Ombudsman, developed both consumer and business information, which refers to the Guidelines. The information is available on the center's Web sites and the Web sites of the Consumer Agency and the Ombudsman. The Consumer Agency and the Ombudsman also have distributed the Guidelines by attaching them to letters sent to businesses. The Ombudsman is developing further business information (for online businesses), and participated in the International Internet Sweep on 14-15 February 2001 in which each Web site surveyed was sent an e-mail explaining the Guidelines. In June 2000, Finland adopted a new consumer protection policy that defines the national goals in this area. The Guidelines were used as a basis for the development of the Finnish principles related to consumer protection, and the Guidelines are now mostly covered by existing law in Finland through the implementation of the Distant Selling Directive in January 2001. The Guidelines were used as a basis for the new guidelines from the Finnish Consumer Ombudsman for online merchants, which were issued in March 2002. The implementation of the Directive on Electronic Commerce was also taken into consideration in preparing the Finnish guidelines.</p> |
| France | <p>The Guidelines, which have been translated into French, have been submitted to the National Council for Consumers. This Council plays a consulting role between business and consumer representatives and will transmit the Guidelines to its members. The Guidelines were posted on the Bureau of Consumer Protection's Web site along with other information for consumers. In addition, the French consumer group <i>Consummation Logement et Cadre de Vie</i> is participating in the Which? WebTrader international code program.</p> |
| Germany | <p>In Germany, the Guidelines were translated into German, presented to The 21 (an organisation consisting of government and large businesses designed to work on electronic commerce issues), and sent to other business organisations for distribution to their members in an effort to reach small businesses. The federal consumer organisation, an umbrella organisation for the consumer groups, created the Convention, which identifies online businesses that meet a set of principles based on the Guidelines. The German government hosted the OECD workshop, "Consumers in the Online Marketplace: The Guidelines - One Year Later", in Berlin on 13-14 March 2001.</p> |

| Implementation activities | |
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| Countries | Implementation activities |
| Greece | <p>In Greece, the Ministry for Development has set up two commissions – a scientific commission composed of academics and a commission of administrative experts. Both include high-level representatives from the public and private sectors, including the Chamber of Commerce and consumer representatives. The purpose of the commissions is to discuss legal and technical issues related to recent developments in electronic commerce and to provide consumers with training. Greece is introducing the Guidelines and the community directive on the legal aspects of electronic commerce. The Guidelines will be submitted to the National Council for Consumers in an effort to ensure co-operation among all actors of the private sectors. The Guidelines have been translated into Greek.</p> <p>The Guidelines have been discussed in a variety of lectures, conferences and workshops. The General Inspectorate for Consumer Protection (GICP) developed a brochure about consumer protection rules for electronic commerce and has distributed it to consumers. The GICP took part in the international Sweep Days organised by the IMSN. In addition, the GICP hosted a conference, "Consumer Protection in Electronic Commerce – A New Challenge of Our Age," in Budapest on 19-20 March 2001, with TALEX assistance. The role and activity of the OECD in the development of e-commerce and the implementation of the Guidelines were discussed.</p> |
| Ireland | <p>A new bill on electronic commerce that gives the same status to electronic signatures, electronic contracts and electronic writing as their paper-based counterparts was presented to the Parliament. The measure was adopted in the spring of 2000. Another initiative in the legislative area is work to give legal effect to the EU Directive on protection of consumers in distance contracts. Both legislative initiatives will give full opportunity to promote the Guidelines to consumers and industry. A final initiative is a pilot project under consideration by the Ministry for Labour, Trade and Consumer Affairs. The project would establish a "virtual" version of the traditional Irish small claims court to provide online consumers access to cheap and efficient redress.</p> <p>The Government has translated and developed a booklet on the Guidelines. The booklet has been distributed through the National Consumer Council, Web sites, and mailings to institutions, stakeholders, consumer and business organizations, and media all over Italy. The Guidelines have been taken into account in the development of regulations on e-commerce and in implementing the EU directives on distance-selling and comparative advertising. In addition, the Italian consumer group <i>Alfroconsumo</i> is participating in the Which? WebTrader international code program.</p> |
| Japan | <p>The Japan Fair Trade Commission (JFTC) has published a statement in which it spells out, specifically referring to the Guidelines, how businesses engaged in B2C electronic commerce should disclose material information via the Internet for protecting consumers' interests. The Door-to-Door Sales and Other Direct Sales Regulation Law was also amended in November 2000 to avoid ambiguity concerning the consumer's intent to make a purchase when he or she participates in the electronic commerce market. At the same time, the Installment Sales Act was amended to include in the scope of the Act sales with passwords and ID numbers on the Internet. Specified Commercial Transaction Law and Law on Regulation of Transmission of Specified Electronic Mail came into force. These laws require businesses to observe an opt-out rule. The Office for Promotion of Justice System Reform is now conducting examinations and deliberations on measures for establishing a common institutional base concerning Alternative Dispute Resolution in Japan.</p> <p>The Electronic Commerce Promotion Council of Japan (ECOM), a private sector group, revised its <i>Guidelines for Transactions Between Virtual Merchants and Consumers</i>, and published education materials on its Web site. The Japan Direct Marketing Association (JADMA) also revised its <i>Guidelines for Electronic Direct Marketing</i> to reflect the principles of the OECD Guidelines. JADMA and the Japan Chamber of Commerce and Industry (JCCI) launched an online shopping trademark regime in June 2000.</p> |

Countries

Implementation activities

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| Korea | <p>The Ministry of Finance and Economy (MOFE) declared that it is the obligation of central and local governments to formulate and implement consumer policy measures in the area of electronic commerce in the Consumer Protection Act revised in March 2001. The MOFE is planning to add compensation criteria related to disputes between consumers and Internet retailers, digital contents service providers by revising the Code of Consumer Compensation. The Cyber Consumer Center, which is an affiliate body of the Korea Consumer Protection Board (KCPB), conducted consumer education programs for electronic businesses and selected 24 persons as online monitors whose mission was to surf, detect and notify malpractices of electronic businesses. The Korea Fair Trade Commission (KFTC) introduced a project for the Comprehensive Online Watchdog System, whose aim was to protect consumers from frauds, deceptions or unfair transactions by collecting information on a real-time basis. Based on the KCPB's analysis, the government is planning to recommend electronic business associations and individual companies to make their own codes of conduct and implement them effectively.</p> |
| Luxembourg | <p>The Ministry of Economy organised an information campaign on consumers' rights by circulating the Guidelines. The <i>Union Luxembourgeoise</i> approved the Guidelines. In addition, a draft law is being submitted to the Chamber of Deputies. The law incorporates the transposition of community directives on electronic commerce, including consumer protection, and the law's text specifically mentions the Guidelines.</p> |
| Mexico | <p>The Ministry of Economy (SE) prepared educational material with information on e-commerce, which has been posted on the consumer policy section of its Web site.</p> <p>The Guidelines were used as a basis for important legal reform and amendment of existing laws, as well as an important reference for the development of new consumer protection policies; <i>i.e.</i> the Federal Consumer Protection Law (LFPC) was reformed taking into account the principles of the Guidelines.</p> <p>In 2000, several initiatives were sent to the Mexican Congress in order to incorporate "e-commerce" and to recognise the validity of electronic transactions. Several obligations and rights derived from commercial activities on line have been incorporated into the Commerce Code, the Civil Code and the Federal Civil Procedures Code. As mentioned above, the Federal Consumers Protection Law was reformed, too, in order to incorporate the principles for consumer protection in electronic commerce. All these reforms went into effect in May 2000.</p> |
| Netherlands | <p>In 2001, the Mexican Official Standards (NOM) "Criteria for Selling Outside of Commercial Establishment" were reviewed.</p> <p>The Guidelines were used as a basis in developing the consumer section of Platform Netherlands, a general electronic commerce code of conduct which can be accessed at: http://www.ecp.nl/800/index.html. The Dutch consumer group <i>Consumentenbond</i> is participating in the Which? Web Trader international code program. In addition, the Dutch government hosted the OECD, HCPIL and ICC joint conference on alternative dispute resolution in The Hague on 11-12 December 2000.</p> |
| New Zealand | <p>New Zealand has developed a model code for consumer protection which is due to be completed in mid April. It is for consumer protection in e-commerce and will be based on the Australian practice model for e-commerce and also on the OECD Guidelines. The OECD Guidelines received quite a lot of media coverage, along with the development on the New Zealand model code. Once that is completed there will be a lot more press coverage and it will be available on the Web site. A voluntary code of practice has been developed by the New Zealand chambers of commerce by the advertising standards authority in New Zealand in consultation with the Ministry of Consumer Affairs. This is a self-regulatory regime, <i>i.e.</i> marketers who will adopt the international chamber of commerce code on advertising and marketing on the internet as its key code to the OECD Guidelines. Electronic certificates will be issued to Web site marketers who agree to abide by the code to dispute resolution mechanisms. The code would cover information disclosure, privacy mechanisms and consumer complaints handling.</p> |

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| Countries Norway | <p>In May 2002, the Government presented a new version of the eNorway Action Plan. It is still based on the framework of the eEurope plan, adjusted to a Norwegian context. An act related to electronic signatures was adopted by parliament and entered into force 1 July 2001. Another act, amending the Marketing Practices Act, prohibit companies from sending electronic mail to consumers unless the consumer has previously given permission for the enterprise to do so. This act entered into force on 1 March 2001.</p> <p>The National Consumer Council and representatives of business established a voluntary and independent label, N-safe. A common position paper on good practices for trading and marketing on the Internet, developed by the Nordic Consumer Ombudsman, form the basis for the Consumer Ombudsman's monitoring of the electronic marketplace. Norway has disseminated online shopping tips in its <i>Forbrukerrapporten Magazine</i> both on line and offline.</p> <p>With regard to consumer education initiatives, the Consumer Council, in co-operation with the National Centre for Teaching Aids/School-net, introduced consumer information related to the Internet into the school systems in an effort to teach teenagers and children about their responsibilities as consumers in the electronic marketplace.</p> |
| Poland | <p>The Office for Competition and Consumer Protection (OCCP) continues to educate business about the Guidelines and their impact on electronic commerce. Legislatively, certain principles of the Guidelines were included in recent legislation. Poland implemented the EU distance selling directive and the directives on misleading advertising (relevant Polish legal acts came into force in the year 2000). Additionally, the governmental draft act on electronic signature was approved by the Council of Ministers and the draft act on electronic payment tools was elaborated in January 2001. In July 2000 the Parliament approved a resolution on establishing a basis for the information society in Poland. Based on the Guidelines, Consumer Federation developed a leaflet for consumers which clearly delineates online shopping "do's" and "don't's".</p> |
| Portugal | <p>The Guidelines were translated into Portuguese, and the Consumer Institute has created a Web site for consumers that provides information for consultation and downloading. Portugal is planning to disseminate the Guidelines among Portuguese electronic commerce sites. A national initiative on the information society has started and will specifically focus on electronic commerce. Within this national initiative, there are plans to introduce consumer protection principles and guidelines. In addition, the consumer group <i>Deco Pro Teste</i> is participating in the Which? WebTrader international code program.</p> |
| Slovak Republic | <p>Legislatively, e-business will be covered by two separate acts. The first act, on e-signatures, has already been adopted by the Parliament and covers security of e-signatures and the related issues. The second act will cover e-commerce transactions and a draft of the act was submitted to the legislative process in 2002. The aim of the draft act will be to support effective consumer protection in online transactions. The act covers different issues, e.g. definitions, duties of the involved bodies, supervision, etc. The draft act involves implementation of the relevant EU directives as well as the OECD Recommendations and the Guidelines.</p> |
| Spain | <p>Under Spain's "Information Society for All" initiative, the government will focus on three major areas of consumer protection. First, it will improve general contractual provisions by setting up a decree ruling against unfair contractual practices and introducing more transparency and efficiency in legal actions. Second, Spain will develop a system to be more aware of consumer complaints concerning consumer online transactions and establish an online contact point to inform consumers of their rights and on legal procedures applying to Internet transactions. And third, the government will create an online contact point for consumers to provide education on consumers' rights and the legal procedures applying to Internet transactions. Several governmental departments also are working on a draft electronic commerce law similar to the EU Directive.</p> |
| Sweden | <p>Legislatively, the Guidelines are mostly covered by existing laws in Sweden. The Guidelines were translated into Swedish in the beginning of 2001 by the Swedish Consumer Authority. The Swedish government has also given the Authority the assignment to work out an implementation plan for the Guidelines. The assignment is to be accomplished in co-operation with other concerned authorities and consumer organisations. The result will be presented to the government at the end of this year.</p> |

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| Countries Switzerland | <p>The Federal Commission for Consumer Policy issued two recommendations to the Federal Council, one concerning electronic commerce and one concerning distance selling. It also requested action by the Federal Council to strengthen international co-operation in the field of electronic commerce. There also has been work on digital signatures and updating federal laws on unfair competition. The Federal Bureau of Consumer Policy has published a report concerning e-commerce which reiterates of the consumers' trust. The <i>Fédération Romande des Consommateurs</i> (FRC) participated in establishing the Which? Web Trader code of good conduct for electronic commerce with six other European consumer organisations. In addition, the firm JurisNET GmbH has also created a code of good conduct in order to strengthen consumer confidence. A private initiative, the <i>Schweizerische Normen-Vereinigung</i> (SNV) has launched a project of standards for e-commerce, which includes requirements for creating and managing a commercial website.</p> |
| Turkey | <p>The Turkish authorities are adjusting a specific chapter of the current consumer protection law to take into account electronic commerce and the Guidelines.</p> |
| United Kingdom | <p>A UK media campaign followed the adoption of the Guidelines, but most of the United Kingdom's work related to the Guidelines is exemplified in the TrustUK initiative. The government worked with business and consumer organisations to develop a non-profit organisation, TrustUK, to accredit codes of conduct for electronic commerce, which meet minimum standards and offer consumers good protection. Businesses or business organisations that meet the standard are granted a TrustUK label. To date, three such codes have been accredited: Web Trader, Direct Marketing Association (DMA), and the Association of British Travel Agents (ABTA). The Which? Web Trader code program was developed and is administered by the consumers' organisations of Belgium, France, Italy, the Netherlands, Portugal, Spain and the United Kingdom. The United Kingdom Consumer Association disseminated online shopping tips in its Which? Magazine both on line and offline.</p> |
| United States | <p>The Federal Trade Commission (FTC) has developed a variety of business and consumer education materials that are available on its Web site and at www.consumer.gov, a Web site maintained by the FTC that provides consumer information from more than 135 federal and state government agencies. The United States government has also continued to strengthen and expand international co-operation arrangements and engage in multilateral law enforcement co-operation, as called for by the Guidelines. The efforts have included conducting Internet investigations training to teach authorities about tools to detect and prevent Internet fraud, sponsoring Internet surf days, launching econsumer.gov and working with colleagues in the IMSN to promote co-operation and information sharing. For example, the FTC co-ordinated a year-long law enforcement effort targeting the top 10 Internet scams, which involved five federal United States agencies, consumer protection organisations from nine countries and 23 states. Announced in October 2002, the effort involved 251 law enforcement actions against online scammers in "Operation Top Ten Dot Cons." Participants in "Operation Top Ten Dot Cons" included consumer protection agencies from Australia, Canada, Finland, Germany, Ireland, New Zealand, Norway, the United Kingdom and the United States. Domestically, the FTC has brought more than 230 actions involving Internet fraud.</p> <p>With respect to consumer redress, the FTC and Department of Commerce held a workshop on alternative dispute resolution in June 2000. The event was widely attended by business, government, consumer groups, and academics. In February 2001, the FTC sponsored a public roundtable to explore private sector ADR recommendations and jurisdiction over B2C contracts in the context of the draft Hague Convention on Jurisdiction and Foreign Judgements. The US private sector also is working to implement the Guidelines. The private sector also has introduced a variety of education initiatives including posting shopping tips on company Web sites, in banner ads and providing information through links and e-mail responses. In addition, the National Consumers League (NCL) launched education initiatives related to e-commerce, including a "Be E-Wise" program.</p> |

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| Countries European Commission | The Commission welcomes the adoption of these Guidelines by the OECD Council and fully supports its implementation. It also welcomes initiatives that could ease implementation of the Guidelines, such as the trustmarks. Some of the issues included in the Guidelines are already present in community legislation. In this respect the efforts shown by some other states that aim to transpose these community directives on e-commerce into their national legislations could be of great assistance to achieve appropriate implementation of the Guidelines. |
| BIAC | Upon the adoption of the Guidelines, the business community continued to perform a variety of activities to further enhance consumer confidence that directly relate to the Guidelines or that are in their spirit. For example, BIAC informed its members, through its newsletter, of the OECD's adoption of the Guidelines. Many BIAC members informed their own members, which include individual companies and individual branch organisations. In addition to the work of BIAC, the International Chamber of Commerce (ICC), the Alliance for Global Business and the Global Business Dialogue for electronic commerce continue to give attention to the consumer policy aspects of electronic commerce, with a particular focus on the development of alternative dispute resolution mechanisms. |
| Consumers International | Consumers International disseminated the Guidelines to its members, worldwide, issued press releases, and posted the Guidelines on its Web site. Consumer associations continue to work with business to develop codes of conduct and best practices for trading with consumers in the online environment. Consumers International conducted a study and released a report that assessed, based on principles outlined in their report, all ADR mechanisms available online as of August 2000. At its biannual World Congress meeting in 2000, sessions focused on consumers in the electronic marketplace and included discussion of the Guidelines. |