

# INTUG

## consumer protection: the ubiquitous network

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[www.INTUG.net](http://www.INTUG.net)

# INTUG contents

- INTUG
- what users want
- some principles
- ubiquitous wants and needs
- ubiquitous threats and risks
- liability cannot be ubiquitous
- a word on roaming
- conclusions and issues



# INTUG what is INTUG?

- members
  - national associations
  - corporations
  - individuals
- activities
  - ITU and WTO
  - OECD
  - APEC TEL, CITELE and EU



# INTUG our aims

- real and effective competition
- genuine choice for users
- lower prices
- higher quality
- more innovative services
- constructive co-operation with
  - international bodies
  - governments
  - regulators



# INTUG priorities

1. open access to global mobile networks
2. regulatory best practice
3. liberalization
4. leased lines
5. IP telephony
6. digital divide
7. universal access
8. numbering



# INTUG ubiquitous principles

- economic growth:
  - innovation and removal of barriers to adoption
  - confidence in use
- horizontal legislation includes:
  - privacy and data protection
  - health and consumer protection
  - competition and contract law
- technological neutrality:
  - issues are ubiquitous



# INTUG wants and needs

## consumers:

- secure
- private
- free choice:
  - networks
  - operators
- low price
- new services

## business users:

- competitive supply
- flexible use
- secure transfer of:
  - data
  - transactions
- interaction with customers

Free choice of telecommunications platform.  
GSM, cdma2000, BCN, Wi-Fi, PSTN, etc.



# INTUG ubiquitous definition

- always on
- always aware
- always active
- continuously analysing situations to provide access to content and services that are relevant and useful

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# INTUG ubiquitous threats

- spam, spim, pop-up ads, etc
- viruses, trojan horses, worms, etc
- hacking, phishing and pharming
- identity theft
- portable devices:
  - physical loss/theft
  - address book, photos, videos, other files

systemic weaknesses,  
especially people.



# INTUG consumer uses

- applications, services and devices
- who will guarantee:
  - that devices interwork?
  - that there is integrity of communications?
  - that misuse is absent?
- complex mix of:
  - contracts
  - codes of conduct
  - generic/horizontal legislation
  - specific legislation



# INTUG commercial communications

- immense volume of obviously illegitimate
- TACD survey showed a big discrepancy between senders' and recipients' views of what is "legitimate"
- very large grey or disputed area
- new forms of communications:
  - SMS, MMS, etc
  - location based "neon" ads in cyberspace
- adverts may pay for/towards a service



# INTUG business services

- historically based on competitive supply so:
  - low cost
  - high security
  - robust SLA  
(guaranteed end-to-end performance)
- but based on only a few networks
- services must be accessible from customer's chosen networks



# INTUG OECD privacy recommendation

- obtained by lawful and fair means and with the knowledge or consent of the data subject
- relevant to the purposes for which they are to be used, and accurate, complete and up-to-date
- limited to the fulfillment of those purposes
- should not be disclosed for purposes other than those specified except:
  - (a) with the consent of the data subject; or
  - (b) by the authority of law.
- protected by reasonable security safeguards against loss or unauthorised access, or disclosure

OECD Document C(80)58(Final), October 1, 1980



# INTUG European Union directives

- 25 member states, plus accession countries and copied elsewhere
- similar to the OECD Guidelines
- directives:
  - 95/46 Data protection
  - 02/58 Electronic communications
- transposed into national laws:
  - with some variations

New Japanese legislation is similar



# INTUG Article 29 WG - RFID

- recognition of widespread potential benefits
- but, concerned about the possibility:
  - to violate human dignity
  - to violate data protection rights
  - to collect data surreptitiously
- problems could be aggravated by low cost



# INTUG response from suppliers

- EICTA, ICC, ICRT and JBCE
- “any technology – can be abused or misused”
- “will play a major role in our society and will be broadly accepted”
- “consumers also recognize the benefits of RFID-technology where it enhances access to product information ... and enables instant recognition of preferences”





# INTUG the question of liability

- multiplicity of networks, devices and sensors
- absence of clarity on:
  - control
  - management
  - security
  - misuse
- who pays?
- who goes to gaol?



# INTUG additional data

- location:
  - time and place of an individual
  - can give patterns of movement
  - can be combined with:
    - profiles
    - call data
    - locations of family and friends
- content:
  - what and when and where?
- payments and micro-payments



# INTUG international roaming

- in a different legal jurisdiction:
  - so there will be differences in:
    - consumer rights
    - service provider duties
  - split/overlapping responsibilities
    - home operator
    - visited operator
- severe legal problems in complying with cross-border data protection obligations
- potentially greater value of information when abroad



# INTUG conclusions

- ubiquity of threats and risks
- diffusion of responsibilities
- smaller and weaker devices
- weakest link is human being
- we must avoid a repetition of spam:
  - scale of the problem
  - delay in its suppression
- we need to maintain customer confidence



# INTUG issues

- how to maintain a balance that is:
  - reasonable
  - proportionate
  - timely
- can vendors keep up with the hackers?
  - they innovate very rapidly
- can the law keep up?
  - legislators, police, judiciary, etc
  - assigning responsibility
- can integrity be maintained across several networks?



# INTUG thank you

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