

INTUG



Universal service & consumer rights

Ewan Sutherland

Executive Director

International Telecommunications
Users Group

ewan at intug.net

Universal service, China 24 viii 2005

www.INTUG.net

INTUG contents

Universal service, China 24 viii 2005

www.INTUG.net

- INTUG
- issues
- some examples:
 - United States of America
 - European Union
 - France
 - United Kingdom
 - Ireland
- conclusions

INTUG what is INTUG?

Universal service, China 24 viii 2005

www.INTUG.net

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

INTUG our aims

Universal service, China 24 viii 2005

www.INTUG.net

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

INTUG issues

Universal service, China 24 viii 2005

www.INTUG.net

- representation and championing of all users
- identification and resolution of consumer disputes
- transparency of contracts and tariffs
- protection from malware

INTUG consumer protection

Universal service, China 24 viii 2005

www.INTUG.net

- competition cannot fully protect consumers
- general legal protections for all markets:
 - consumer protection law
 - competition law
 - contract law
- also organisational protections:
 - consumer groups
 - sectoral user groups (post, rail, telecoms, etc)
- supplementary measures for:
 - telecommunications
 - cross border supply of services

INTUG consumer redress

- access to justice
 - even in low value disputes
- payment of compensation
- modification of supplier behaviour
 - e.g., in a code of conduct
- dispute resolution

The result is increased confidence in the market

INTUG dispute resolution

Universal service, China 24 viii 2005

www.INTUG.net



INTUG consumer groups

- national and local groups
- international alliances:
 - Consumers International (CI)
 - Trans-Atlantic Consumer Dialogue (TACD)
 - Bureau Européen des Unions de Consommateurs (BEUC)

Telecommunications is only one issue and often not a high priority.

INTUG United States of America

Universal service, China 24 viii 2005

www.INTUG.net

- general legal measures
(n.b. class actions)
- Federal Trade Commission
- Federal Communications Commission
- in the fifty states:
 - attorneys general
 - regulatory commissions:
 - e.g., consumer rights bill in California
 - utilities consumer advocates

- to facilitate the participation of consumers, including:
 - people with disabilities
 - underserved populations:
 - Native Americans
 - persons living in rural areas
- meetings in public
- <http://www.fcc.gov/cgb/cac/>

Some criticism about the presence of operator representatives.

INTUG billing

- long history of inaccuracies
- “cramming” - unauthorized, or deceptive charges on your bill
- “slamming” - a change of provider without permission
- FCC has fined operators for these

Some companies offer a service to business users to check and recover excess payments. They take only a percentage of the monies recovered.

INTUG taxing users

Universal service, China 24 viii 2005

www.INTUG.net

- adding “line items” to bills for
 - universal service
 - regulatory “obligations” (e.g., number portability)
- incomprehensible to users
- incredibly difficult to challenge
- self-serving for the operators:
 - they collect the money
 - they also receive the money
- they also add administrative charges for collection of the universal service fees

INTUG location & emergency calls

Universal service, China 24 viii 2005

www.INTUG.net

- FCC mandated the provision of location with all calls to emergency services
- presumed that location based services would be a commercial success
- mobile cellular operators have obtained many delays
- now a heated debate over the provision of location with VoIP calls

INTUG European Union

Universal service, China 24 viii 2005

www.INTUG.net

- universal service and users' rights were revised in the 2002 regulatory framework
- a review is underway of the “scope”:
 - European Commission proposed no changes
 - public consultation of all parties
- full review of the legislation in 2006
- provision of a safety net

INTUG health concerns

Universal service, China 24 viii 2005

www.INTUG.net

- many concerns in the press about the health effects due to exposure to radiofrequency (RF) transmissions
- especially on children
- frequent complaints about the construction of base stations
- complex scientific experimental and epidemiological evidence

<http://www.jrc.es/pages/iptsreport/vol61/english/HEA1E616.htm>

INTUG international roaming

Universal service, China 24 viii 2005

www.INTUG.net

- a major campaign by INTUG
- a complaint to European Union competition authorities in 1999
- repeated advocacy for action at ITU, APECTEL, CITELE and OECD
- made speeches and published reports
- underlying problem of abuse of market power by mobile operators is very complex and deep rooted

INTUG consumer protection

Universal service, China 24 viii 2005

www.INTUG.net

- Article 153 of the EC Treaty
- consumer protection laws
- contract law
- health and safety laws
- data protection laws
- mechanisms to intervene:
 - public authorities
 - consumers' unions
 - users groups

INTUG users have a right to:

- a legal contract
- transparency of tariffs
- quality of service and network integrity
- affordability:
 - low-usage schemes
 - control of expenditure
(e.g. blocking of expensive calls)

INTUG access for the disabled

- to telephone services for those with:
 - deafness or severe hearing impairment
 - speech impairment
 - deafness and blindness
- to national emergency services
- to public pay telephones
- to mobile telephones
- to directory services

eInclusion is a topic in the i2010 programme

INTUG number portability

- a painful battle to get operators to accept this measure
- a wide range of implementations:
 - procedures
 - delays
 - costs
- the same issues are yet to be addressed for Internet addresses

Number portability is a prerequisite to competition

INTUG data protection law

- based on OECD principles
- general data protection directive:
 - limits on collection and use of personal data
 - supported by working group of national data protection authorities
- electronic communications directive:
 - specific measures on telecoms
- a current proposal for a traffic data retention directive

INTUG France - AFUTT

Universal service, China 24 viii 2005

www.INTUG.net

- voluntary user group
- runs an “observatory” for the NRA
- based on individual consumer complaints
- supports individuals making complaints to operators
- provides information to consumers

2004 report (in French)

<http://www.afutt.org/particuliers/documents/CPRobservatoire2004.html>

INTUG top complaints in 2004 (2003)

- 1 (1) - cancellation of a contract - mobile
- 2 (2) - billing - (especially premium rate) - fixed
- 3 (8) - cancellation of a contract - Internet
- 4 (-) - no connection (loss of service) - Internet
- 5 (3) - billing - mobile
- 6 (6) - cancellation of a contract - fixed
- 7 (4) - carrier pre-selection - fixed
- 8 (7) - installation - fixed
- 9 (-) - billing - Internet
- 10 (-) - unsolicited calls - fixed

INTUG UK OFCOM advisory committees

- Consumer Panel
- Older and Disabled People
- the nations:
 - Scotland
 - Wales
 - Northern Ireland
 - the English Regions

<http://www.ofcomconsumerpanel.org.uk/>

INTUG UK premium rate services

Universal service, China 24 viii 2005

www.INTUG.net

- Independent Committee for the Supervision of Standards of Telephone Information Services (ISCTIS)
<http://www.icstis.org.uk/>
- a code of conduct for operators
- problems of some very high bills
- problems of inappropriate access
- growing problems of cross-border fraud

INTUG Ireland

- Commission for Communications Regulation
 - <http://www.comreg.ie/>
 - <http://www.askcomreg.ie/>
- customer charter
 - http://www.comreg.ie/_fileupload/downloads/CC01.pdf
- consumer guides and FAQs
- advice on making complaints
- annual reports (English and Gaelic)
- links to other bodies

INTUG Ireland - other bodies

Universal service, China 24 viii 2005

www.INTUG.net

- Advertising Standards Authority
- Consumer Association
- Data Protection Commissioner
- European Consumer Centre
- government ministries
- Nuisance Calls Bureau
- Office of the Director of Consumer Affairs (ODCA)
- Regtel - Regulator of Premium Rate Telecommunications Services
- Small Claims Court

INTUG pornography

Universal service, China 24 viii 2005

www.INTUG.net

- barring the truly illegal
- blocking children from seeing “adult” content
- problems of different standards across borders
- mobile access is an increasing problem with children, since it is unsupervised

Australia - mobile premium content

http://www.acma.gov.au/acmainterwr/_assets/main/lib100039/mobile%20premium%20services%20determination%2029june05.pdf

INTUG growing threats from malware

- diallers
- viruses
- trojans
- spam
- phish
- adware
- spyware

INTUG inter-governmental

Universal service, China 24 viii 2005

www.INTUG.net

- OECD ICCP
 - Consumer Policy Working Group
- APEC
 - Telecommunications Working Group
- International Telecommunication Union
- UNCITRAL

Work on spam involves ITU, OECD and APECTEL

INTUG OECD workshop

Universal service, China 24 viii 2005

www.INTUG.net

- Consumer Dispute Resolution and Redress in the Global Marketplace
- industry-sponsored or voluntary dispute resolution?
- court procedures for low-value consumer disputes
- the role of consumer protection enforcement agencies
- effectiveness of consumer redress in cross-border cases

INTUG need to ensure

- representation and participation
- wide dissemination of information on rights
- rapid identification of new abuses
- adequate resources for consumers
- proper links to generic consumer activities, processes and bodies
- sharing experiences with other countries

INTUG conclusions

Universal service, China 24 viii 2005

www.INTUG.net

- a widening array of issues
- many require inter-governmental cooperation
- participation of consumers, SMEs and the disabled requires active support
- some specific measures continue to be needed for telecommunications

INTUG thank you

Ewan Sutherland

International Telecommunications Users Group

Brussels, Belgium

ewan at intug.net

<http://www.intug.net/ewan.html>

[callto://sutherla](mailto://sutherla)