

Consumer Protection as a Framework for Internet Regulation

We are living through and with the positive and negative consequences of the technological revolution. Approaches from consumer protection with their focus on equalising relationships, guaranteeing access, and ensuring safe and high-quality products offer a new way to think through some of the biggest challenges of the digital economy.

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1 Executive Summary

The consumer internet has been on an upswing since the 1990s and influences almost every aspect of daily life from shopping to transport. However, along with upsides like automated decision-making, downsides like a lack of a clear review process for decisions are also apparent. The early promise of the consumer internet to flatten hierarchies is at risk of going unrealised and there is a significant power imbalance between providers and consumers. If undermined further, it threatens digital transformation and the trust needed to accelerate it. However, this trend is reversible. Restoring consumer autonomy will be vital to develop better-functioning digital markets characterised by more equal and respectful relationships between supply and demand.

Consumer protection approaches were developed 60 years ago at a time of rapid, global market change when relationships between the supply and demand side needed to be put on a more equal footing. This purpose still resonates today and their flexibility gives them the potential to encompass broader, non-market challenges in the digital economy.

Given the resources currently dedicated to developing digital market regulations, and the urgency of fully protecting consumers made vulnerable by digital environments, this report sets out a new framework for consumer protection in the digital economy that emphasises:

- Consumer protection as a basis for innovation from which to forge new customer relationships based on more than just fast, frictionless connections.
- The need to fully understand how new and established harms are presenting in digital markets and why.
- The potential of an extensive consumer protection digital toolbox for monitoring and enforcement.
- Investment in countries with low consumer protection policy and emerging digital connectivity so that they are protected as new tools and services are rolled out.
- The potential for trusted, digital market-based solutions to create new models that will create clean, green, circular and just economies.
- Open and individual-centric approaches to data to uphold digital rights.
- The value of consumer approaches for achieving and upholding digital rights in nonmarket settings.

2 Introduction

We are living through and with the positive and negative consequences of the technological revolution. To progress, we need to harness this radically disruptive transition for betterment by overcoming its challenges and expanding its opportunities.

The recent Tony Blair Institute for Global Change paper “[The Open Internet on the Brink](#)” analysed the macro trends of internet power at the geopolitical level, along with potential routes to address global governance challenges and intergovernmental tensions. The Institute’s other work on independent [audits](#) for social media platforms showed how established regulatory techniques could improve transparency and accountability in digital environments.

This paper builds on both ideas, presenting a fresh perspective on routes forward from the regulatory discipline of consumer protection and empowerment. It starts by unpacking the causes and features of the problems in the consumer internet. It then traces the development of the concepts behind consumer rights and empowerment, its policy standing and its value for thinking through individual and collective challenges to people from an economic, social and environmental perspective.

Looking through the prism of consumer rights principles, it will show how national measures and international cooperation have begun to respond to some of the challenges of the consumer internet. However, recognising the limitations of policy as a sole response to fast-moving digital markets, it will also describe an array of technological applications with the potential to effortlessly deliver consumer rights and protection. It goes on to consider the nonmarket areas where consumer rights approaches and applications offer new ways to deliver protection.

In conclusion, it sets out a foundation for what needs to happen next to build better-functioning and more respectful markets characterised by fairer relationships between consumers and companies

3 Understanding the Problem

3.1 The Double-Edged Consumer Internet

The internet is used by almost [two-thirds](#) of the global population to supplement or completely replace social, economic and consumer activity. The blueprint for online consumer services was first laid out by the original disruptive innovators who reconnected people and organisations into new relationships, making things faster, easier, more readily available and much more appealing. This has enabled prosperity and growth in the consumer internet, but the upsides have cast some shadows that disadvantage consumers:

- **Safety, transparency and accountability** are undermined as tech firms utilise trade secrets, patents and intellectual property rights to protect innovation.
- **Information asymmetry** is exacerbated through dark patterns, fake reviews and impenetrable technical jargon.
- **Right to redressal** is limited as firms implement automated decision-making without clear options for review, setting back early wins for consumer rights advocates who visibly and publicly answered back to firms and demanded that things be put right.
- **Data economies** incentivise digital services by encouraging customers to overshare information. The deep value in personalising products and services to meet individual needs is more frequently used to target the wrong product at the wrong time in the name of making a quick profit.
- **Winner-take-all markets** create new business models and products which drive research and development, but can foreclose markets to the next generation of disruptors through killer acquisitions and the abuse of market dominance.
- The promise of **choice** in products and services has been gradually limited to choices only available within a few dominant platforms. This is summed up in the adage that “you can have any colour as long as it’s Amazon.”

This double-edged experience is also present in issues outside of consumer interactions:

- The rise of platform marketplaces has led to an expansion of alternative modes of employment such as **gig work**. Gig employment enables flexibility in the workforce but limits [worker rights](#) and the collective support (e.g. health insurance) traditionally borne by employers.
- Digital platforms can cater to consumers across borders, but can similarly also shop around for the most beneficial **tax** arrangements, regardless of where consumer spending takes place. This reduces states’ tax revenues and puts a disproportionate burden on physically located businesses.
- Democratisation of voices online has blurred the line between journalism, public commentary and social media, exposing targets of **harassment** to online and real-world attacks. Instead of opening up participation, this can lead to self-censorship and cause marginalised groups to withdraw from public debate.
- The strength of the network effect and algorithms designed to reward attention leads to threats to **democracy** as extreme views and content gain traction.
- **Access** to internet technology has grown in emerging economies, but localised service provision, protections from online harms and language availability are weak. Internet provision has transformed economies, education and employment, but its sudden

withdrawal through shutdowns or service failure has devastating consequences for those reliant on it for digital government, finance or telemedicine.

3.2 How Problems Became Embedded

Rather than being unintended side effects of the digital consumer revolution, many of these downsides are the direct consequence of the hyper-convenient offers from the original tech disruptors. As disruptors became incumbents and frictionless services became the established expectation, several factors were embedded and made these downsides hard to address:

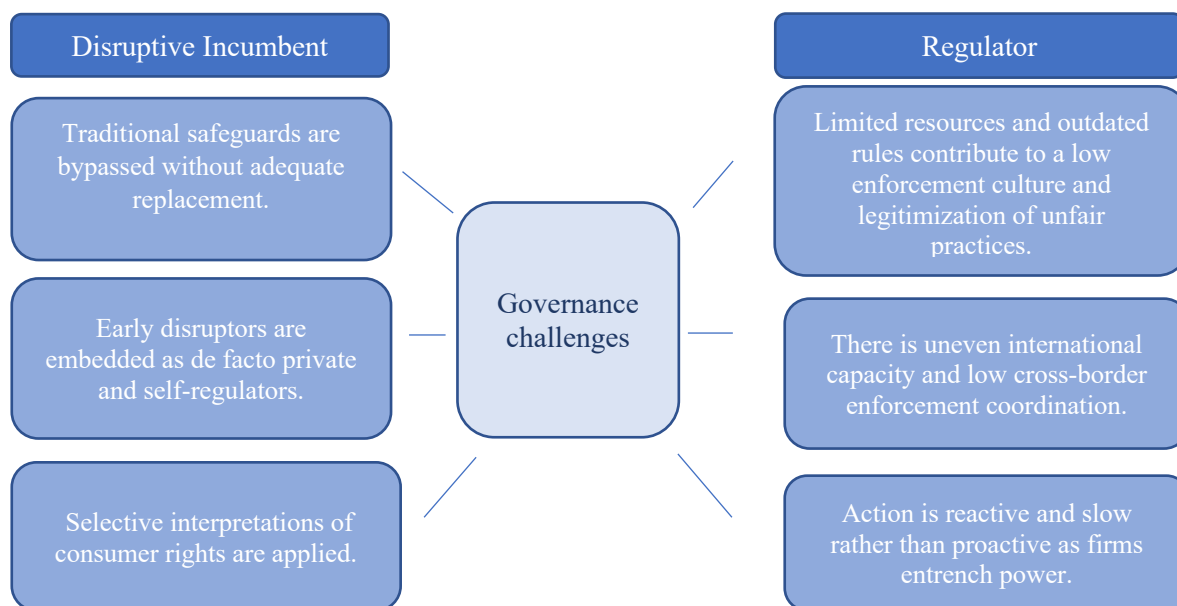


Figure 1: How governance challenges became embedded in digital consumer markets

Governance challenges from the disruptive incumbent side:

- **Traditional safeguards bypassed without adequate replacement:** In the race to get products to market and expand services, disruptive firms cut out key safeguards and processes that traditional intermediaries like hotels, taxi firms and retailers followed. . Safeguards developed over several years such as fire safety checks on holiday accommodation, employment contracts for workers and age verification for consumers cannot easily be replaced by self-regulation, user-generated review systems and ratings.
- **Early disruptors are embedded as de facto private and self-regulators:** Given the inadequate response of existing regulators, early disruptors needed to govern their own sectors. As digital reach grew, large tech [platforms](#) found themselves dealing with issues that they did not have the capacity, knowledge, authority or perhaps even the desire to deal with.
- **Selective interpretations of consumer rights are applied:** Tech companies tend to correlate excellent customer service, choice and access with full consumer protection

and rights. Their position might be interpreted as the assertion that providing goods to billions around the world is a price worth paying for the skirting of safeguards¹.

Selective Use of Consumer Rights

The selective use of consumer rights was particularly evident in the early days of C2C and P2P platforms where trust mechanisms such as reviews, ratings, returns and payments were needed to make the system function and take off. eBay's complaints handling scheme set a high bar in dispute resolution that was light years ahead of anything that public agencies could deliver. Consumer needs and rights to affordable access and redress were met by various innovations, such as a named cab driver to your door in two minutes or no-quibble refunds. However, these customer services have often been selected and primed because they are the simplest and most profitable to deliver, and not because of a wider respect or appreciation of wholesale consumer interests.

Governance challenges from the regulatory side:

- **Limited resources and outdated rules contribute to a low enforcement culture:** Although consumer protection is a powerful regulatory concept, it is frequently under-resourced in regulatory agencies, particularly when it comes to monitoring, surveillance and enforcement. Sectoral protections or high-profile issues tend to receive most attention, leaving the new cross-cutting digital developments with less of an obvious regulatory home. As digital markets grew, cross-sectoral rules such as data protection suddenly grew in importance but offered few safeguards for the very different data use scenarios of the consumer internet. These have only very recently, and certainly not everywhere, been replaced by rules and enforcement designed for the current context.
- **There is uneven international capacity and low cross-border enforcement coordination:** Challenges for consumers in digital markets cut across borders in a way that previous issues had not. Prior to digital services, cross-border cooperation and enforcement was limited to situations where consumers dealt with traders registered overseas, such as travel and tourism. The surge in cross-border consumer trade demanded a new approach to international cooperation. This is challenging as online and offline consumer protection is not consistent across different countries. [Figures](#) from UNCTAD suggest only 40 percent of least-developed countries (LDCs) have laws for online consumer protection, compared to 72 percent in Europe. Another [UNCTAD survey](#) of 87 UN member states found that only 40 percent have cross-border cooperation on enforcement.
- **Action is reactive and slow rather than proactive as firms entrench power:** Earlier in the development of the consumer internet, policymakers appeared to believe that the digital transition was a powerful tool for economic growth which required a light touch and self-regulation to enable opportunities. However, the exponential force of digital consumer developments required responses to novel problems as they emerged, as well as basic frameworks within which to conceptualise the foundations for internet

¹ In much the same way, contributions to connectivity, digital skills or investments in health and climate technology are often highlighted as a rebuttal to other concerns.

regulation. Countries with mature regulatory regimes, such as the United States, were taken unaware by the speed and scale of the digital economy and are yet to catch up or invest sufficiently in enforcement capabilities, despite using more sophisticated and evidence-based framing of problems and their origins. This left countries with less mature regulatory regimes, often developing or economically poorer nations, as testing grounds for digital services from global corporations, with little protection or safeguards.

These conditions have created a challenge for governance that continues and has been replicated in countries with low levels of economic or social protections as internet access rolls out. Both are dealing with multiple, complex and still-moving challenges in digital market function which coexist with wider geopolitical questions.

3.3 Responding to the Causes and Symptoms of the Problem

Recently, more ambitious cross-sectoral policy packages such as the EU's Digital Market Act and Digital Services Act have sought to tackle the structural issues at the root of many digital market challenges.

However, it has been more common to see policy and enforcement energy focused on responding to end-of-pipe harms—those with tangible, material effects like phishing scams or threats of violence. Such harms are sometimes attributed to single causes such as exploitation of personal data, anonymity or lack thereof, globalised firms or avoidance of traditional intermediary responsibilities. Tools to tackle them come from their relevant policy bases: privacy, data protection, antitrust and liability.

A holistic approach is needed to redress unequal relationships.

The root cause of many of these problems lies in a shift in the power dynamic between consumers and providers in a market. This imbalance in the supply–demand dynamic gives rise to a [digital asymmetry](#), placing people in a permanent state of vulnerability in the digital market:

The digital market is characterised by a profound imbalance of power, knowledge and agency, compared to other markets. This translates into a new position of vulnerability for consumers that is both structural (owing to the structure of digital markets which prevents consumers from interacting with market players on an equal footing) and architectural (due to the way interfaces are designed and operated).²

We therefore need a fuller consideration of how to create a framework that can redress this asymmetry in favour of consumers and citizens. In turn, this will help other market participants—employees, small businesses and communities—to assert their power too.

Consumer protection approaches were designed at a time of rapid global market change 60 years ago, when individual purchasing power paled in significance to corporate and state power. Its purpose, to equalise essentially unequal relationships, still resonates.

Furthermore, consumer rights and protections can be adapted not just to meet the challenges of the new digital order but also to help understand other types of problems stemming from unequal relationships, such as poor access and disproportionate risk-bearing.

It is time to look towards a flexible, tried and tested framework like consumer protection to shape a holistic response to internet challenges:

- The internet covers over two-thirds of the global population; the activity taking place is no longer an exception but the norm. Consumers must be fully protected in digital markets as they are in other environments.
- Tech firms' behaviour is under new scrutiny from governments and people as the real-world impact of ingrained patterns of business become more apparent. Attitudes are hardening towards regulation in [social media](#) and in [AI](#).

² https://www.beuc.eu/publications/beuc-x-2021-018_eu_consumer_protection.0_0.pdf.

- As connectivity increases, consumers in emerging economies will be introduced to new digital markets with little or no protection to meet its risks and challenges. This may reduce trust in valuable public services such as fintech for the underbanked.
- A huge amount of policy time, resources and energy is being spent on designing national and cross-border regulation for the digital economy. This can be done in a future-proof way to encourage good practices and to prevent further embedding of bad practices.

The next section introduces the idea of consumer protection and consumer rights in more detail and shows how it has been applied to digital markets.

4. Consumer Protection 101

Consumer rights and the corresponding body of legislation and institutions were originally developed at a time of dramatic changes in society, technology, markets and media in the postwar period. As the new consumer society took hold, consumer rights and protections were established to but the relationship between the supply and demand side on a more equal footing, ensure products were safe and enable access to the essentials.

But what exactly are consumer rights, and how did consumer protection come to be one of the most widely recognised legislative frameworks in the world?

4.1 Introduction to Consumer Protection

What is a consumer? A consumer is usually the “end user” of a product or service for private purposes. Under the United Nations’ guidelines, member states are free to adopt their own definitions, which differ depending on economic cultures. In emerging and developing economies where small-scale production is more common, less distinction is made between purchases of goods and services for business versus personal use.³ The term can also be broadened, as in Brazil’s Civil Code, which encompasses the collective consumer experience and impacts on future generations of consumers. Although other entities may be said to “consume” (employees or businesses for example) they are not the subjects of consumer protection law.

What is consumer protection? Consumer protection is the protection and promotion of consumer interests in the market. Consumers’ interests are met by the attainment of a holistic set of consumer rights.

How does it link to competition? Keeping markets competitive and consumers protected are closely tied. Competition is understood as bringing consumer benefits by providing choice, which theoretically keeps prices low and quality high, and enables new entrants to offer innovative alternatives.

What does it look like in practice? Almost all countries have some sort of consumer protection law, although the incidence is higher in middle- and higher-income countries. In some countries, it is [embedded](#) in the constitution (e.g. Mexico and Switzerland). Consumer protection systems across the world rely on civil, criminal and administrative law to different [extents](#). A range of other institutional mechanisms make up a consumer protection framework, and are present to varying degrees in different jurisdictions:

“Broadly speaking, consumer protection is meant to ensure that the demand side of a market economy functions optimally so that the market system can work effectively. It is complemented by competition policy to ensure that the supply side functions optimally too.”
UNCTAD Consumer Protection Manual 2017

National consumer policy	Consumer protection authority	Consumer protection law	Codes and soft law	Redress mechanisms
Monitoring and surveillance systems	Compliance and enforcement mechanisms	Consumer education and information	Independent consumer associations	International cooperation

Source: Adapted from https://unctad.org/system/files/officialdocument/ditecplp2017d1_en.pdf.

³ CI State of Consumer Protection Worldwide, 2014.

Where can we find consumer protection rules? Consumer protection is found in both generic legislation, for example the banning of unfair contract terms or misleading commercial practices, and in specific sectoral regulations for finance, health, food or transport. Here, stronger or more tailored rules are required to ensure safety and fair treatment..

For digital economies, there are advantages in both approaches. The coverage of generic rules is useful for digital markets where common, problematic practices may be exaggerated (for example, the use of ‘small print’). Alongside this, aspects of consumer protection specific to digital markets are subject to additional cross-sectoral laws. The best example of this is data protection where a single, comprehensive data protection law can be found in most developed economies, as opposed to sector-specific rules.⁴ As digital activity becomes subject to more regulation, we can expect additional rules for products like AI-enabled devices which to supplement generic consumer protection

What do consumer organisations do? Consumer associations carry out a variety of activities: testing products, advising consumers, handling complaints, advocating for changes to company practice and government rules, and bringing complaints regulators or private enforcement action when evidence of harm is found. Independent consumer associations are a critical feature of consumer protection, as their watchdog or representative duties are often recognised by the respective regime. They are found across the world, with a closely converged mission delivered in a nationally specific manner.

What else apart from hard law helps protect consumers? Legislation is not the only way to implement rights: it is complemented by methods such as self-regulation, co-regulation, voluntary standards and codes. Contemporary policy also often refers to “consumer empowerment”, a generic term that mostly refers to consumers being skilled and tooled up to make optimal, individual choices that help improve market function (as opposed to merely being passive beneficiaries of ex-ante measures).

How does consumer protection work across borders? Several cross-border institutions and instruments provide coordination for international cooperation jurisdictions. These developed alongside national consumer protection regimes, with a culture of looking outwards to other jurisdictions for best practices and shared intelligence, although they remain deeply unequal in terms of resources for regulation and enforcement.

Global institutions and instruments	UNGCP	UNCTAD	Trade: WTO	Standards: ISO	Enforcement: International Consumer Protection and Enforcement Network (ICPEN)	Supervision: FinCoNet
Regional/ economic area bodies	ASEAN	African Consumer Protection Dialogue + South African Development Community (SADC)	Ibero-American Forum of Consumer Protection Agencies (FIAGC)	European Crime Prevention Network (EU CPN)	OECD	G20

⁴ Thirty-two of the thirty-four OECD countries have a national data protection law, with the United States as a notable exception.

4.2 Origins of Consumer Rights and Protection

4.2.1 *The Rise of the Consumer Society*

Consumers, especially those in high- or middle-income countries, can generally assume that they are protected from problems with products and services by a consumer protection system. The statutory rights, safety standards, kitemarks, labelling, complaint schemes and codes of practice that make up this system often operate quietly behind the scenes until issues arise. However, this has not always been the case.

In higher-income countries it wasn't until the industrialisation of cities, food supplies and medical advancements in the mid-19th century that national laws on food and drug safety were created. Laws to protect consumers from scams like mail fraud came next and by the 1930s, new rules on the sale and manufacture of cosmetics were passed, after poisons in the products inflicted horrendous facial injuries.

This was followed by decades of consumer activism from cooperatives, workers' councils and women's groups (particularly during wartime rationing). However, it wasn't until post-Second World War leaders began to conceive of the "consumer society" as an economic and political project that the need for an affirming governance and regulatory regime became apparent. Although enacted in different ways, the consumer society project was broadly shared globally, despite differences in state's ideology. It promoted a [vision](#) of "access and participation-affluence for all-rather than choice and luxury for the few". Around this time, independent consumer associations emerged in many countries to represent consumers' interests in the market.

As the rise of mass production and consumption continued, firms grew their local and global power, while consumers became increasingly atomised. Together, consumers formed a huge economic group, but had no collective voice or communication channel to decision-makers in firms or government.

4.2.2 *Enter JFK*

"Consumers ... are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard."

The [address](#) that President John F. Kennedy made to Congress in 1962 marked an early recognition of consumers as a vital but voiceless economic power who needed a new settlement to balance significant information and power asymmetries. The four original rights that were part of this settlement were:

- (1) The right to safety—to be protected against the marketing of goods which are hazardous to health or life.
- (2) The right to be informed—to be protected against fraudulent, deceitful or grossly misleading information, advertising, labelling or other practices, and to be given the facts he needs to make an informed choice.

(3) The right to choose—to be assured, wherever possible, access to a variety of products and services at competitive prices; and in those industries in which competition is not workable and government regulation is substituted, an assurance of satisfactory quality and service at fair prices.

(4) The right to be heard—to be assured that consumer interests will receive full and sympathetic consideration in the formulation of government policy, and fair and expeditious treatment in its administrative tribunals.

The new consumer settlement [envisaged](#):

- businesses developing products and services within safety, pricing and competitive constraints
- consumers exercising informed choice to keep retailers competitive
- government market surveillance and enforcement agencies
- new legal obligations and provisions
- regulators setting the rules and punishing breaches

consumer advocates educating and informing consumers, advising on recourse to redress, flagging up problems and helping to formulate consumer-friendly policy. The speech acknowledged that action was required to ensure the convenience and low costs from mass production and new market systems did not come at the expense of consumers' broader interests. This continues to resonate strongly today.

4.2.3 The UN Guidelines on Consumer Protection

The principles announced by President Kennedy have been expanded over time to cover more dimensions of consumer rights. By the time the UN formally adopted the Guidelines on Consumer Protection in 1985, further rights (referred to as “legitimate needs”⁵ in the UN lexicon) to redress and education had been added. However, market liberalisation and geopolitical shifts from the 1980s onwards would change consumer experiences once again.

In response to the damaging impacts of outsourced mass production by global firms on local livelihoods and environments, further rights to address the social and environmental impacts of consumption were included in a 1999 revision, along with support for developing economies. The latest revision in 2015 complemented the UN Sustainable Development Goals (SDGs) by specifying rights to access of essential services by billions in the world and by recognising specific disadvantages faced by vulnerable and marginalised consumers, such as the relatively higher cost of goods for those on lower incomes with lower spending power. In this sense, consumer protection can be seen as a mechanism for distributive justice, most obviously seen in subsidised goods for those with lower incomes.

The 2015 revision also contained a gentle nod to technological development, with the rights to equivalent protections for digital commerce and the protection of consumer privacy (although this was somewhat watered down by being coupled with the global free flow of data). With built-in provisions for a periodic review, the guidelines can be revised regularly as consumer markets change.

The table below shows how the original four rights have developed into the comprehensive list of 11 legitimate needs, or rights in use today, supported by two principles for market regulation.

⁵ Guideline 5 of the UNGCP is the most widely referenced and these “legitimate needs” are referred to informally as the “consumer rights”.

Table 1: The Development of Consumer Rights - 1962 to Present

	1962	1985	1999	2015
Consumer Right	<u>Kennedy Message to US Congress</u>	<u>Adoption of UN Guidelines on Consumer Protection</u>	<u>First revision of UN Guidelines on Consumer Protection</u>	<u>Second revision of UN Guidelines on Consumer Protection</u>
1. Right to safety	To be protected against products, production processes and services that are hazardous to health or life.	Protection from hazards to their health and safety.		
2. Right to choose	To be able to select from a range of products and services, offered at competitive prices with an assurance of satisfactory quality.	Promotion and protection of the economic interests of consumers.		
3. Right to information and transparency	To be given the facts needed to make an informed choice, and to be protected against dishonest or misleading advertising and labelling.	Access to adequate information to make informed choices according to individual wishes and needs.		
4. Right to be heard	To have consumer interests represented in the making and execution of government policy, and in the development of products and services.	Freedom to form consumer and other relevant groups or organisations and the opportunity of such organisations to present their views in decision-making processes affecting them.		
5. Right to consumer education		Consumer education.	Consumer education, including education on the environmental, social and economic impacts of consumer choices.	
6. Right to redress		Availability of effective consumer redress.		Availability of effective consumer dispute resolution and redress.
7. Right to healthy future environment			The promotion of sustainable consumption patterns.	
8. Right to inclusion and non-discrimination				Protection of vulnerable and disadvantaged consumers.

<p>9. Right to access essential services</p>		<p>Access to essential goods and services.</p>
<p>10. Right to protection in digital markets</p>		<p>Protection in e-commerce that is not less than that in other forms of commerce.</p>
<p>11. Right to privacy and data autonomy</p>		<p>Protection of privacy and the global free flow of information.</p>

This set of 11 rights is complemented by two implementation principles that guide market regulation:

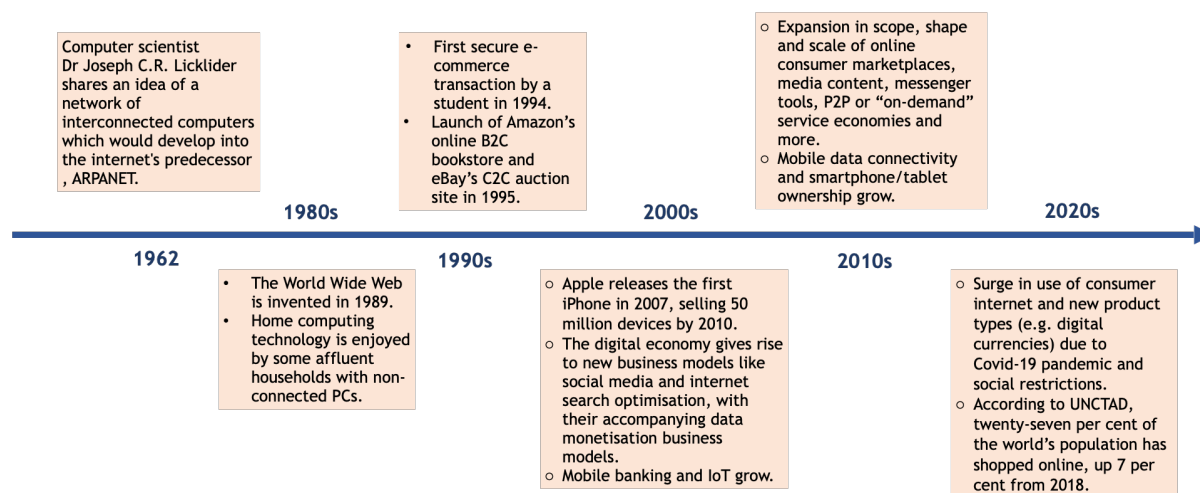
1. **Regulatory infrastructure:** effective governance of corporate activity and market function.
2. **Responsible business conduct:** fair and ethical treatment, good corporate governance, compliance with consumer protection.

4.3 Timeline of the Consumer Internet

4.3.1 How Did We Get to This Point?

The consumer rights and protections described above originated in the 1960s and have been subsequently adapted for a globalised world. But as described earlier, the emergence of the consumer internet at the turn of the millenium has fundamentally changed the structure and dynamics of production and consumption. Tech titans now deliver across a range of traditional sectors, products, hardware, infrastructure and new services. This has been made possible by the co-creation of mutually supportive innovations in areas such as user-generated reviews, online dispute resolution (ODR), payment systems, AI, delivery and collection systems, biometrics, GPS tracking, data collection and analysis, and adtech based on real-time bidding. For the purposes of this paper, the term “consumer internet” describes the use of internet and web technologies for consumer activities, products and services such as B2C or C2C transactions.

Figure 2: Timeline of The Consumer Internet



Sources: <https://www.itu.int/en/ITU-D/Statistics/Documents/facts/ICTFactsFigures2010.pdf>
<https://unctad.org/webflyer/unctad-b2c-e-commerce-index-2020-spotlight-latin-america-and-caribbean>

4.3.2 An Uneven Transition: The Internet of Two Halves

Mobile connectivity is the predominant way in which consumers in low- and middle-income countries (LMICs) access the internet. While availability is high ([LMICs had 84 per cent 4G coverage](#) by the end of 2020), usage gaps persist ([43% of the global population](#) live in an area with mobile network but still do not use it, a figure that rises to 61% in South Asia). Access is unevenly distributed and device costs, geography, cultural attitudes and data charges put it out of reach for many—particularly women and girls, displaced people, rural residents, the elderly and the less educated. Other infrastructural differences have also hampered the progress of online consumer markets such as credit card penetration and postal networks.

As penetration increases, consumers will come online into a fully formed digital market with all its benefits and potential pitfalls. In less mature regulatory markets, this can result

in innovations racing ahead of protections and the opportunity for global tech firms to test out new products in real-life sandboxes.

4.3.3 New Tech, Old and New Problems

As well as exacerbating pre-consumer internet patterns of harm, a new set of internet-specific issues has emerged from this great online reshaping of consumer markets.

Table 2: Consumer Internet Challenges

Amplification of Pre-Internet Challenges	Novel Internet Challenges
<ul style="list-style-type: none"> • Fraud, scams and identity theft: These have expanded online, where there is a greater concentration of people. Advances in behavioural targeting have made it easier to identify prey and adapt communications to rolling events and circumstances, such as exploiting fears of Covid-19 by selling fake medicines. • Choice editing: Detailed knowledge of individual and collective behaviour online is applied to devise “dark patterns” that manipulate or deceive people to make choices that favour the firm and not necessarily the consumer. For example, this is applied to tie people into unwanted subscriptions with lengthy and disheartening cancellation processes, or influence them to accept intrusive privacy terms through confusing wording. • Dominance: The “network effect” in personal-data-based platforms incentivises firms to dominate markets and control vertical and horizontal components. This results in significant economic power that crisscrosses traditional sectoral and industry boundaries. For example, dominant app stores controlled by Apple and Google can influence the rate at which other firms monetise services through them. • Industry policy influence: Large firms have always been able to lobby government decision-making processes. However, large gatekeeper firms are now challenging nation states’ historical monopoly on domestic and global policy. For example, when Paypal stopped providing payment protection for crowdfunding campaigns in 2016, it eliminated a crucial consumer protection with no public consultation or regulatory scrutiny. 	<ul style="list-style-type: none"> • Designing out protection: Similar to how on-demand services like food delivery can cut prices by restricting pay or employment benefits, cheap products are available at short notice because platform marketplaces can design out responsibility for product safety checks or proactive monitoring of seller behaviour. • Smart products (tangible objects such as fridges, treadmills or security cameras with integrated digital properties): Hybrid products throw up significant questions about liability, such as which part of the product is owned and which part is licensed by dint of it containing software. If terms are broken, this can result in unfair contract terms and remote sanctions. Previously applied to Digital Rights Management in music and content services, this practice is now seen in late phone payments in India and car finance in the US. • Privacy and personal data exploitation: The information-as-payment business model is significant, particularly as it came of age with the consumer internet and feels to many like the only option for access—giving way to the normalisation of surveillance-based capitalism.⁶ At an individual level, data-driven decisions by opaque automated systems are embedding and deepening discrimination in fields such as credit availability and housing. They also enable the manipulation of consumer choices, the monopolisation of existing markets and the capacity to dominate new data-heavy fields such as biometric recognition technology. • Data holder power: The mass collection of consumer data has major implications on the consumer market. Earlier, attention was focused on the threat to individual privacy through loss of control of personal data. Now there is more focus on the power that firms which amass a lot of data have. This “data as power” is apparent in examples such as Apple and Google setting privacy standards for a Covid-19 contact-tracing API, thus setting de facto standards for health privacy for much of the world’s population.

⁶ S. Zuboff, *The Age of Surveillance Capitalism*, London: Profile, 2019.

5. Consumer Rights × Consumer Internet & Beyond

Born from wholesale social, political and market changes and based on an enduring set of principles, consumer rights frameworks have proven themselves adaptable to different market dynamics, social and political developments, and consumer behaviours over the last 60 years.

Despite their value, consumer rights and interests are often overlooked by policymakers, business and even parts of civil society. A narrow conception of consumers and consumption is most often associated with cheap prices and an abundance of choice and waste. Consumer rights are even mistakenly taken to mean consumerism. However, they encompass much more than just a customer transaction and aftercare. They also encompass a consumer's right to basic services and the responsible consumption of non-monetised resources such as a healthy environment.⁷ These aspects tend to receive less attention than what could be described as the “shoppers' rights” elements.

As we live through another dramatic transition in the digital economy and society, there is much to take from this approach. The 360-degree view of people's interactions with markets and society cuts across sectors and encompasses key principles such as choice, representation, sustainability, security and accessibility. This makes them a valuable way to frame complex, systemic topics such as internet and digital regulation.

This section gives a summary of the features that make consumer rights principles a useful framework for policymakers and shows how they can be helpful in the digital era for understanding and responding to nonmarket issues.

5.1 Conceptual Features of Consumer Rights Frameworks

Breadth: They are concerned with achieving healthy and sustainable environments, fair resource allocation and economic systems that enable a more balanced relationship between producers and end users.

Outcome focus: The consumer rights framework is a solid and established vision of what good outcomes for consumers in the market look like.

Enabling focus: Consumer rights blend specific, targeted rights which have their own end (e.g. the right to clean water) and “enabling” rights (e.g. the right to information), which allow for other rights to be achieved.

Inbuilt adaptability: The combination of outcomes and enabling rights within the framework means that they can be easily adapted to different circumstances. They were developed in the face of advancing technology and market shifts and so have responsiveness built in.

Interdependence with other rights: Consumer rights provide an intrinsic and coherent link to economic, civic and human rights. For example, Article 25 of the UN Human Rights Declaration of 1948 includes the right to “a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social services”.

“The march of technology ... has increased the difficulties of the consumer along with his opportunities; and it has outmoded many of the old laws and regulations and made new legislation necessary.”

John F. Kennedy, 1962

⁷ It is not simple to draw a clear line around what is or isn't a “consumer issue”. Take the example of gambling, a high-risk product used for private purposes: in some countries it is covered by consumer protection regulations (UK) and in others by public health frameworks (New Zealand).

Similarly, improved consumer protection contributes to food security, nutrition, education, financial inclusion, health, wellbeing and several other SDGs.

Global legitimacy: Consumer rights are globally recognised as a legitimate concept in almost all nation states, regardless of economy type. For international firms, they establish a common approach across countries—beneficial for consumers but also for firms that value consistency. They build on international experience and expertise that is difficult for a firm to access by itself and vital for an increasingly globalised world.

Global outlook: The international nature of the consumer association movement means it is easy to spot where consumers in different countries are subject to different standards by the same firms. Long-standing campaigns on car safety [finally got manufacturers to fit the same safety features in cars for the Latin American market that](#) cars for US/EU markets had. This had not been the case earlier, despite them being sometimes produced in the same factory. The [revelation](#) from the Facebook Papers of a tiered system for prioritising content moderation resources for different countries would not have come as a surprise to consumer [campaigners](#).

5.2 Consumer Rights for the Consumer Internet

The flexibility of the global consumer rights and empowerment framework has already allowed it to be successfully applied to digital challenges for consumers. It formed the basis for [recommendations](#) to the G20 presented by the international consumer movement, which demonstrated how consumers' rights could be protected online with collaboration across global governments, businesses and international organisations.

The table below gives further examples of how the consumer rights framework has been in digital situations by various institutions and organisations:

Table 3: Consumer Rights for the Consumer Internet

Right	General Application	Rationale	Institutional Guidelines
Safety	Digital security and safety measures are needed to protect consumers' payment details, financial assets and personal identity against fraud or misuse, address defective products and protect the personal safety of consumers.	Across all digital products and services, the information provided by consumers is encrypted so that it cannot be easily read or used by attackers.	Consumer Reports Digital Standard: Security Criteria
Choice	Interoperable and compatible device and software standards, and rights to access and transfer data between services should be prioritised to make it easier to switch providers.	In IoT, these standards will avoid lock-in effects and enhance consumers' ability to switch suppliers.	Securing Consumer Trust in the Internet of Things: Recommendations and Principles

Information and Transparency Be Heard	Clear information about digital products, providers, processes and consumer rights should be easy to access to enable consumers to understand the implications of their activities online and facilitate confident and informed decision-making.	In AI, giving consumers the right to understand how decisions that affect them are made means they can oppose wrong or unfair decisions and request redress.	Artificial Intelligence Rights for Consumers
Access to Essential Services	Access for marginalised or disadvantaged groups of consumers should be prioritised. Consumers should have access to an affordable, consistent, good-quality internet connection.	The needs of vulnerable consumers and those with disabilities should be considered in e-commerce processes such as payments to enable everyone to take up the opportunities of the digital economy.	Consumer Checklist for International E-commerce deals
Consumer Education	Education and awareness provision should complement rather than replace regulatory and legislative protection.	A permanent flow of information to consumers should be ensured by businesses and governments on the safety of products sold in online markets to support participation and reassure trust.	Guidelines for Online Product Safety
Redress	Redress mechanisms should incorporate new consumer issues arising from digital products and services, such as failure of essential updates or other distress caused by product failure.	In AI, consumers have a right to redress and public enforcement if risks associated with technologies such as artificial intelligence materialise to ensure companies are held accountable for harms and risk.	Artificial Intelligence Rights for Consumers
Privacy and Data Autonomy	Consumers should be able to exert control over their personal data and privacy preferences.	An organisation may collect, use or disclose personal data about an individual only for purposes that a reasonable person would consider appropriate in the circumstances. This will help them benefit from opportunities within a trusted and safe system.	Framework on Personal Data Protection
Regulatory Infrastructure/ Protection in Digital Markets	Digital consumer protection and empowerment should be an integral part of the regulatory framework to effectively address the complexity of digital markets and the experience of consumers online.	In the context of global e-commerce, governments should, among other things, cooperate in cross-border matters and exchange information to ensure consistent consumer protection.	Consumer Protection in E-commerce
Responsible Business Conduct	Treating consumers fairly should be an integral part of the objectives, good governance and corporate culture of all digital providers.	Firms operating in multiple jurisdictions should as a principle apply the highest standards to all their consumers, regardless of where a consumer is based to make sure equal treatment is provided.	Securing Consumer Trust in the Internet of Things: Recommendations and Principles

5.3 Application of Principles Beyond the Consumer Internet

The consumer rights framework can extend to take in some of the wider, horizontal issues created by the internet, which also results in “digital asymmetries” for citizens and communities online. People’s rights as consumers in the market are intrinsically linked to

their economic, social, human and civil rights. For example, proving one's identity to open a bank account depends on the extent to which civil rights, such as registering for documentation, are available. In the same way, people's rights as consumers in digital markets will depend on the national internet [infrastructure](#), the [cost of data](#) and the amount of [freedom](#) they have online to access services.

There is substantial crossover as digitalisation occupies more and more of the social, political and economic infrastructure: internet shutdowns hit e-commerce and [banking](#) as well as democratic information flows and the ability to organise, and [fears](#) of [harassment](#) keep disadvantaged or marginalised groups away from any online activities. Information on an individual's purchases and usage of products can now be collected at such a granular level that analysis can show political outlook, sexuality and other characteristics, which can then be used to target political messaging.

Decisions or compromises by global firms on the level of consumer service provision in different jurisdictions can shape their rights as citizens, such as [Apple removing an Islamic app](#) from its Chinese appstore on the basis that it hosted "illegal religious texts". This highlights the capacity of global digital gatekeepers to make sweeping and significant decisions that affect consumers (see Section 3).⁸

The table on the next page shows how the consumer rights framework is applicable to nonmarket issues. However, given the level of interplay between markets and society it is not always possible to distinguish neatly between the categories.

⁸ The recent decision by Facebook to halt some elements of its facial recognition programme is something that impacts on both consumer and political rights.

Table 4: Challenges for Individuals in the Digital Economy

Consumer right	Challenges for people as consumers in digital markets	Challenges for people as participants in digital society and state
Right to safety	<ul style="list-style-type: none"> • Unsafe products for sale on platforms • Fraud and scams • Home device cybersecurity • Failure of essential safety functions of connected products 	<ul style="list-style-type: none"> • Online abuse and harassment of protected identity groups • Targeted grooming of vulnerable consumers • System cybersecurity • Negative mental health impacts of content
Right to choose	<ul style="list-style-type: none"> • Unfair and unreasonable contract terms • Excessive charges • Usage restrictions via licence agreements • Manipulative choice architecture • Limited number of gatekeeper platforms • High switching costs and effort 	<ul style="list-style-type: none"> • Geoblocking • Access to Knowledge • Shutdowns • Monopolistic practices of state-run telcos and infrastructure
Right to information and transparency	<ul style="list-style-type: none"> • Deliberately opaque information structures • Fake or misleading reviews • Low transparency into firm practices 	<ul style="list-style-type: none"> • Misinformation and disinformation • Online censorship • Shutdowns of all or parts of the internet
Right to be heard	<ul style="list-style-type: none"> • Consumers excluded from product development • Consumer interests not represented in resource-heavy digital policymaking 	<ul style="list-style-type: none"> • Public interests not represented in service infrastructure or policymaking • Online protests targeted • Online censorship
Right to consumer education	<ul style="list-style-type: none"> • Onus on consumer to understand complex products • Implications and risks difficult to understand • Rights and processes not promoted • Product provenance hard to understand 	<ul style="list-style-type: none"> • Low local language provision • Poor digital literacy provision
Right to redress	<ul style="list-style-type: none"> • Lack of due process for automated sanctions and decisions • Unfeasible and costly enforcement • Cross-border jurisdiction confusion 	<ul style="list-style-type: none"> • Limited due process for automated decisions • Lack of rights for algorithmic scrutiny • Unfeasible and costly enforcement
Right to healthy future environment	<ul style="list-style-type: none"> • Rights to repair and reasonable lifespan and support • E-waste and e-commerce packaging waste • Product obsolescence • Misleading green claims • Online shopping contributing to fast, high-waste consumption culture 	<ul style="list-style-type: none"> • Carbon cost of data use • Environmental damage from device production • Ethical and environmental supply-chain management • Misinformation and disinformation driving climate change denialism
Right to inclusion and nondiscrimination	<ul style="list-style-type: none"> • Inaccessible design of consumer products • Difficult to use automated/remote customer services • Digital exclusion and offline premium • Price discrimination for undesirable consumers 	<ul style="list-style-type: none"> • Inaccessible design of public services • Digital exclusion from jobs, education and public services • Offline premium for public services
Right to access essential services	<ul style="list-style-type: none"> • Expensive connectivity and device costs • Poor energy supply • Unreliable coverage and connection • Irrelevant content 	<ul style="list-style-type: none"> • Limited or closed networks • Online censorship
Right to protection in digital markets	<ul style="list-style-type: none"> • Unsafe or discriminatory practices by P2P sites and participants • Unfair contract terms 	<ul style="list-style-type: none"> • Exploitative conditions for on-demand workers • Surveillance of employees
Right to privacy and data autonomy	<ul style="list-style-type: none"> • Corporate surveillance • Invasive marketing • Algorithmic discrimination in prices and service availability • All-or-nothing data exchange • Pervasive adtech 	<ul style="list-style-type: none"> • State surveillance • Limits on privacy-preserving apps and services • Algorithmic discrimination in recruitment, education, justice, public services, etc.
Regulatory infrastructure	<ul style="list-style-type: none"> • Cross-border jurisdiction confusion • Lack of independent audit and market surveillance • Global corporations make consumer market decisions 	<ul style="list-style-type: none"> • Lack of diverse voices in internet governance • Opaque internet governance processes • Corporate influence on state decision making
Responsible business conduct	<ul style="list-style-type: none"> • End to price/quality/service discrimination • Opaque and unaccountable processes • Lower standards for lower-income countries • No duty of care to customers 	<ul style="list-style-type: none"> • No duty of care to employees • Unfair working conditions • Surveillance of employees • Whistleblowers not protected • Failing on human rights obligations

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6 Practical Applications

After addressing the continuing relevance of consumer rights frameworks in the digital economy, this section explores how they are being applied in practice.

After a slow start, there has been an uptick in activity in both national legislation and regulation, as well as international cooperation. Outside the policy environment, there has been an explosion of new digital innovations that meet the long-standing challenge of enabling or helping consumers to realise their rights. Consumer advocacy has also developed new positions as evidence of challenges in the digital market grew alongside a deeper understanding of their causes.

Policymakers, technologists and consumer advocates are working to ensure access to the essentials, safe and high-quality goods and services, and to equalise essentially unequal relationships between the supply and demand side.

The examples are organised under the 11 consumer rights principles, and the two implementation principles for market regulation. They show developments across three areas: policy and institutions, practical digital applications and new advocacy proposals.

6.1 Access: Affordability, Availability, Nondiscrimination and Inclusion

	Policy and institutional measures	<p>Fiscal measures that reclassify digital goods and services: In Kenya and Colombia, the “luxury” tax for mobiles and ICT essentials was removed to make them more affordable, acknowledging that these are essential goods in themselves and as enabling technologies for other essential services.</p>	<p>Universal service obligations (USOs) for connectivity (like those in place for postal services or water services). USOs give consumers the right to an affordable service at a minimum threshold and impose obligations on firms to deliver this. The UK first introduced a USO on broadband in 2020.</p>	<p>Mexico established a “social use concession spectrum” for remote and underserved areas which enabled community groups and citizen collectives to bid for underused spectrum infrastructure at a reduced cost to open up access.</p>	
ACCESS:	Digital applications	<p>Amandla.mobi: After VAT on menstrual products was abolished in South Africa, the campaign group crowdsourced mobile reports and photos from shoppers to check local prices against official household price data, to measure whether the tax cut was being passed on to consumers.</p>	<p>Lumos: Consumers make a one-off purchase of a solar panel, battery and charger from their local mobile operator at less than cost, then pay for the energy service with their mobile credit. A text code or message is sent to the relevant bank, prompting a top-up of the customer’s electricity units.</p>	<p>Common Voice: AI language training model takes “donations” of different dialects and languages to develop voice recognition for languages of underserved communities.</p>	<p>Coliba: Recycling startup incentivises plastic recycling by rewarding consumers with data credits via their mobile app.</p>
	Advocacy proposals and actions	<p>Proxy discrimination: AI systems can use classes and categories for differentiation that do not (directly) relate to protected characteristics (e.g. postcode, job, education). Legislation should reference proxy discrimination as well as the forms prohibited by</p>	<p>1 to 5 benchmark: Alliance for Affordable Internet has a target that 5GB of mobile or fixed broadband should not cost more than 2 per cent of the average monthly income by 2026.</p>	<p>Price Gouging Platform Complaint: A British trade union has submitted a formal complaint to the competition regulator against Amazon, claiming it abused its dominant market position in relation to price-gouging during the first Covid-19 pandemic peak in 2020.</p>	<p>Provision for emergency protocols for essential consumer services in the case of an internet shutdown, like there are for emergency calls, when service is down.</p>

established laws to safeguard rights.

6.2 Safety: Security, Physical/Mental Safety, Provision for Vulnerability

SAFETY:	<p>Policy and institutional measures</p>	<p>Duty of care: The UK Online Harm Bill is based on the concept of platforms owing a duty of care to users. This shifts the burden onto firms to assess and monitor the impact of what they do on the basis that they have a responsibility to act in a nonharmful way.</p>	<p>Data security: Requirements to open up and report information on product safety failures and breaches.</p>	<p>ICO Children’s Code: Data protection code of practice for online services, such as apps, online games, and web and social media sites likely to be accessed by children. This has now been developed into an international voluntary standard with the <u>IEEE</u>.</p>
	<p>Digital applications</p>	<p>Safety tech: such as age-appropriate search engines, age verifications, automated harmful content removal and filters, for example: YOII: Age estimation tool to offer age verification, user privacy and data-minimisation approach which means no registration is required and no data is held or passed on.</p>	<p>SafeMoto: App gives a safety score for mototaxi drivers through telematic software on their smartphones. Customers can then opt for a safer ride and drive demand for safer transport.</p>	<p>Machine Learning (ML) fraud prediction and intervention: PayPal has pioneered ML systems to identify fraud. Databases of legitimate and fraudulent credit card transaction information such as date, time, merchant, merchant location and price were used to train the algorithm to accurately predict frauds before they occur.</p>
	<p>Advocacy proposals and actions</p>	<p>Societal harm: Consideration of long-term harm of technological developments such as AI on society as a whole, not just individuals. In the EU, the concept of environmental harm is considered in this way, as a harm with a generational, societal impact and not just a short-term, individual impact.</p>	<p>Extending harms: Online scams and fraud should be classified as harms as well as online abuse and malicious content.</p>	<p>Concept of platform design and not only content as a cause for harm. For example, a case against Snapchat for platform design encouraging maximum attention which could lead to reckless behaviour.</p>

6.3 Information: Transparency, Openness, Trusted Information

INFORMATION:	<p>Policy and institutional measures</p>	<p>Standards on readability and clarity, e.g. ISO improving consumer understanding of online terms and conditions, and moderation, collection, dispute resolution and publication of online reviews.</p>	<p>EU Consumer Protection Cooperation network: Joint action with European Commission taken on online platforms such as Airbnb and Booking.com resulted in agreements to improve and clarify the way they present accommodation offers to consumers, for example displaying the price in full with all local and mandatory taxes.</p>
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	<p>Digital applications</p>	<p>Amplifi: Uses machine learning to assess how difficult legal and regulatory communications are to understand. It then suggests ways to improve intelligibility and aid simplification while still remaining compliant. It helps firms provide more tailored information to its customers to meet their needs.</p>	<p>Reevo: Type of middleware for reviews that provides independent aggregation, analysis and verification of user-generated reviews. It began as a standalone site and is now embedded into major e-commerce sites.</p>	<p>Open Apparel Registry: Open-source, neutral and publicly accessible database of garment facilities which allocates a unique ID to each one to link up to factories’ audit results, employee conditions and Environmental, Social and Governance (ESG) practice to drive responsible supply chain management.</p>	<p>Ranking Digital Rights: An annual index that values and ranks 26 of the world’s most powerful digital platforms and telecommunications firms on their disclosed policies and practices affecting users’ rights to freedom of expression, information and privacy.</p> <p>EVERYTHING: Digital identity for consumer products, enabling them to be part of a “product cloud” which organises the world’s ecosystem of product lifecycle data. An Active Digital Identity is given to every product at serialised item, Stock-Keeping Unit (SKU) or batch level.</p>
	<p>Advocacy proposals and actions</p>	<p>Platform should proactively monitor, remove and prevent fake or misleading reviews and ratings.</p>	<p>Open up levels of accuracy and performance of AI systems out in the field, and report and collate safety issues to an independent body.</p>		

6.4 Choice and Fair Treatment: Range of Providers, Fair Treatment

	<p>Policy and institutional measures</p>	<p>Strategic market status: Concept in <u>UK digital regulation</u> that some firms have substantial and entrenched market power which puts more obligations on them. Similar to “gatekeepers” as defined in EU’s <u>Digital Markets Act</u>.</p>	<p>Recognition of digital behavioural norms: <u>California’s Eraser Button Law</u> requires websites to allow people under 18 to permanently erase their content from the website, to prevent teenagers from being tied to content as they grow older, thus recognising different behaviours of consumers in different age groups.</p>	<p>Requirements on dominant players: Requirements on device and platform owners to open up to third parties and stop self-preferencing, for example payment systems in app stores and search results presentation.</p>	
<p>CHOICE AND FAIRNESS:</p>	<p>Digital applications</p>	<p>Free Food: A protocol that enables restaurants to self-organise as a marketplace. Consumers can find and order from nearby menus without paying fees to a centralised intermediary.</p>	<p>Smart legal contracts: Legally enforceable contracts where some or all of the obligations under the contract are performed automatically by a computer programme. For example, receipt of a payment would automatically transfer an asset to another party, without the need for human intervention to check and authenticate the transaction.</p>	<p>GLIANet: a personal AI described as a trust intermediary (or “trustmediary”), which would act in line with people’s intentions and goals such as data collection or identity sharing settings when interacting online.</p>	<p>Computational AntiTrust: Stanford University Codex Center is exploring how the mechanisation of legal analysis could advance the automation of antitrust procedures and the improve of antitrust analysis. This would advantage both competition authorities by increasing their ability to detect, analyse and remedy anticompetitive practices, and companies with the tools to ensure they are in compliance with the law.</p>
	<p>Advocacy proposals and actions</p>	<p>Reframing intrusion: European consumer group BEUC recently complained to the European Commission that constant notifications from WhatsApp regarding the changes to its terms and conditions amounts to undue pressure on consumers, which breaks consumer law on</p>	<p>Fairness by design in platforms: Principles including an end to self-preferencing and unfair choice architecture to offset the impact of dark patterns and limits on choice.</p> <p>The protection of people regardless of consumer</p>	<p>Digital asymmetry concept: Profound imbalance of power in digital market means people are made vulnerable by both market design in their lack of provider choice and product design in their lack of interaction options with the provider.</p>	

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	persistent and intrusive marketing.	journey , payment model or delivery channel.
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6.5 Redress: Complaints Handling and Redress

REDDRESS:	Policy and institutional measures	US Safe Web Act 2006: Gives the FTC powers to protect consumers from cross-border fraud by allowing the agency to share confidential information on consumer matters with foreign jurisdictions, subject to appropriate safeguards. The act gives the FTC the ability to redress harm in the United States caused by foreign businesses and vice versa.	ICPEN hosts the econsumer.gov initiative, an online tool that enables consumers in the 35 member countries to submit complaints online. This data provides intelligence that can support consumer protection and law enforcement authorities in their investigations of, and actions against, international scams.
	Digital applications	Modria: Mass-scale ODR tool, designed by the people that pioneered online dispute resolution at eBay and PayPal helping them solve more than 400 million disputes. Ninety per cent did not require human involvement.	Resolver is a independent issue resolution service, connecting consumers with organisations to help solve complaints. It acts as a central planning and tracking platform for complaints, not a completely digital ODR.
	Advocacy proposals and actions	Proposal for rights to request human intervention if an automated decision has a material impact, e.g. The European Consumer Organisation (BEUC) response to European Union’s Artificial Intelligence Act.	Develop capacity of smart contracts to auto-execute refunds in particular circumstances if obligations or service standards are not fulfilled.

6.6 Representation and Autonomy: Consumer Interests Represented in Digital Policy and Products

REPRESENTATION AND AUTONOMY	Policy and institutional measures	Societal stakeholders hold formal role in European standardisation bodies to represent consumer interests.	New consumer and business regulations are published on the US Federal Register with a comment period for consumers and advocacy groups to register concerns.
	Digital applications	GLIANet: A personal AI described as a trust intermediary (or “trustmediary”), which acts in line with people’s intentions and goals such as data collection or identity-sharing settings when interacting online.	Smart legal contracts: Legally enforceable contracts where some or all of the obligations under the contract are performed automatically by a computer programme—for example receipt of a payment would automatically transfer an asset to another party, without the need for human intervention to check and authenticate the transaction.

Advocacy proposals and actions	<p>Digital policy and products: Consumers should be properly represented in digital product and service development as well as strategy, with consumer representatives on boards at firms with strategic or gatekeeper status. Consumer representative functions should be in place for all strategic digital policy areas.</p>	<p>Representative employee profiles: Employee profile to represent general population being served in the case of strategic or gatekeeper digital firms which provide essential services to a significant number of users.</p>	<p>Better use of digital participation tools to aid consumer representation in market-focused policymaking or standards bodies and offset resource costs of participation.</p>
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6.7 Data Protection, Security and Privacy: Control, Security, Transparency and Choices

DATA PROTECTION AND PRIVACY:	Policy and institutional measures	<p>Midata: Consumer-facing data access and portability schemes such as <u>midata</u> in the UK, <u>Green and Blue Button</u> schemes in the US and <u>Mes Infos</u> in France aim to support consumers’ ability to access and move their data by making it easily available and in a common format.</p>	<p>Data as an asset: Recognition of the disproportionate influence that holding large quantities of consumer data gives some providers. Policy responses so far include limits on activity, portability and interoperability to encourage switching, e.g. EU Digital Market Act.</p>	<p>UN Regulation on Cybersecurity and software updates and management systems for automated transport sector. Three standards published by UNECE have been repurposed as national regulations in the EU, Japan and South Korea.</p>
	Digital applications	<p>Authorized Agent: A pilot from Consumer Reports to help consumers stop the sale of their data by firms. The results inspired the development of a new pilot to help consumers retrieve copies of their data from firms.</p>	<p>Data coalitions and cooperatives: Salus: A citizen-led data cooperative for research which aggregates health, lifestyle and fitness data and is licensed to researchers who meet members’ ethical and public-interest criteria. Radical Xchange: A data coalition that combines people’s data for greater collective bargaining power for services of their choosing.</p>	<p>Data Rights Finder: A tool that analyses the privacy policies of the main banks, insurance providers and comparison websites, making it quick and easy to see an overview of their privacy policy and find the information needed to exercise a right under GDPR.</p>
	Advocacy proposals and actions	<p>Information Fiduciaries: Repurposing the concept of “fiduciary duty” as an additional expectation in professions where consumers are vulnerable but trust is essential due to information and power asymmetries—e.g. finance. Information fiduciary duty would apply to data holders; consumers have to trust firms with data to participate in the digital world.</p>	<p>Much stronger enforcement and/or strengthening of data protection laws with: rights to collective actions; rights to data portability; data minimisation principles; and privacy by design as a requirement.</p>	<p>Stronger international cybersecurity cooperation including minimum global standards and technical assistance to less digitally developed nations.</p>

6.8 Regulatory Infrastructure

REGULATORY INFRASTRUCTURE	Policy and institutional measures	<p>Combining competition and consumer protection in regulating digital firms with strategic significance (e.g. Digital Markets Unit in UK enforcement, Digital Markets Act in EU regulation).</p>	<p>Information exchange on product safety, including results of the activities carried out by laboratories on digital products.</p>	<p>Five eyes competition cooperation: Competition agencies in the UK, Canada, US, Australia and New Zealand signed a new framework agreement to improve cooperation on investigations in 2020.</p>
	Digital applications	<p>Supervisory Technology (SupTech): Use of technology in operations like market surveillance, and risk identification and monitoring.</p>	<p>Use of open data and SupTech to enhance monitoring and compliance.</p>	

	Advocacy proposals and actions	Expanded use of concepts of noneconomic harm, collective impacts and future impacts in considering consumer harm.	<u>Systemic audit powers</u> for regulators to apply financial audit models to non-financial, qualitative risks involved in online harms.	Reverse burden of proof of compliance for data-driven services so that providers are responsible for demonstrating that they are following legislation. Improve enforcement through the use of AI, etc.
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6.9 Responsible Business Conduct

Responsible Business Conduct	Policy and institutional measures	Platform responsibility measures to ensure consumer protection online is upheld. Redefining platforms as suppliers to increase responsibility for traders, e.g. EU Digital Services Act, duty of care on providers in UK Online Harm Bill, etc.	Fiduciary duties towards consumers.
	Digital applications	Regulatory technology (RegTech) : Used by regulated firms to meet their regulatory and compliance requirements more effectively and efficiently.	Smart contracts that auto-execute provisions based on preset conditions so firms do not avoid obligations.
	Advocacy proposals and actions	End double standards for treatment of services and consumers in different countries. All consumers should be granted the highest level of protection.	Consumers on advisory groups and board-level representation.

7 The Opportunity

7.1 Expanding the Opportunity Beyond the Consumer Realm

The range of responses indicates that opportunities for action are coming from different directions to support progress and betterment for consumers in the digital economy. Just as the challenges for people as consumers in markets and as part of wider society are shared, so are the approaches to addressing them.

Under the same categories of rights as above, this section suggests some ways in which policy and institutional responses, digital applications and advocacy activity could be adapted and applied more broadly.

Right to access:

- Consider certain functions that platforms provide as essential infrastructure for particular purposes.
- Introduce additional protective measures to prevent discrimination against disadvantaged or vulnerable groups, provide for local languages and content, and enhance transparency requirements.

Right to safety:

- Define platforms as potentially high-risk products that require additional responsibilities, scrutiny and public-interest objectives as in other product safety approaches.
- Develop applications that provide supply chain data infrastructure (such as manufacturing institutions ID or product digital ID) so they can better link up to market monitoring and surveillance. Monitoring could be done both for product safety features in a consumer enforcement setting and for supply-chain issues such as data provenance and management, or social/human rights impact.

Right to information:

- Use applications that scan firms' terms and conditions to alert for a range of potential impacts on human rights or the environment.
- Link up and publicise performance data on content-moderation practices to enhance accountability.
- Provide external researcher access to data for third-party verification to enhance accountability across a range of functions and pool resources of consumer and public citizen research functions.
- Make reporting on the accuracy and performance of AI systems cover a range of safety issues, including harms to society.

Choice and fairness

- Consider the wider potential for the automated scanning of unfair terms and the ability to easily identify and contest terms that remove or limit human rights.
- Consider whether the newly emerging "flat disintermediation models" which enable consumers and producers to self-organise without costly platform intermediaries (e.g. "free food" for restaurants and diners) could be applied to other settings such as transportation or accommodation, so that such services can develop in a way that works for the local community. For example, is there a way for consumer-led data

cooperatives to link with on-demand workers' data cooperatives (e.g. the Driver's Seat) to self-organise transportation?

- Consider the potential for adding more data sources to choice and comparison tools to enable people to choose services based on their impact on society, environmental or human rights.
- Consumer protection is applying the concept of changes in behavioural expectations as a result of the architecture of platforms and their design interface, recognising that these have a hitherto unforeseen impact on people. The same concept can be emphasised in employment settings, or public spaces so that the impact of uncontrolled surveillance is understood and recognised more prominently in policymaking.

Redress

- Potential for stricter processes, fines, sanctions or compensation for service loss that platforms provide as essential infrastructure for particular purposes.
- Dispute resolution mechanisms can be applied to challenges to automated decisions in public spaces.

Representation and autonomy

- In the same way that consumers have representative rights in sectoral regulation, representatives of wider public interests should be involved in digital policy regulation and in product development.
- Consider certain functions that platforms or firms with substantial and entrenched market power provide as essential infrastructure for particular purposes. This would increase stakeholder participation requirements.
- Use digital participation tools to aid consumer and citizen representation in policymaking and offset resource costs of participation.

Data protection, security and privacy

- Consider use of privacy-shielding verification for digital ID to establish credentials.
- Data labels (similar to food labels) can be a helpful communication tool provided through a QR code that can be dynamic and notify users if updated.

Regulatory infrastructure

- Apply predictive technology such as that which anticipates bank fraud to patterns of business practice to predict when firms will break laws or expose people to broader types of risk.
- Building on the Tony Blair Institute's [proposal](#) to establish a requirement for firms to set out a new international policy, recognising their role as global proponents for a secure and open internet model, the purpose of this policy could expand to deliver economic benefits through fair markets to people.
- Building on the Institute's proposal for a new type of independent, industrywide, self-regulatory body, the criteria for significant geopolitical importance should also encompass their impact on manufacturing, distribution networks and delivery of consumer goods and services in addition to public realm and communications reach.

Responsible business conduct

- Potential to scan firm terms and reporting to alert for human rights or environmental impacts.

- Potential to impose a corporate duty of care for digital rights, similar to what exists for human rights and the environment.

7.2 The Size of the Prize

Consumer protection has the potential to inspire a rethinking of regulation in the digital economy, especially when applied outside of the traditional consumer scope.

Better coordination of activities will forge stronger links and more impactful activity between policymakers, technology innovators, and consumer and public-interest organisations. Firms will be better able to grasp the strategic opportunity that consumer rights frameworks present to innovate safely, be inclusive, be responsible, be forward looking and be ready to deliver on the full range of consumer needs. Digital firms have already proved that they can harness technological prowess to deliver certain aspects of consumer rights and empowerment, demonstrating that they understand the value of it in building trust and brand loyalty.

The potential to inject the same innovative thinking beyond consumer interaction and the basic essentials required to build trusted networks is high. Going beyond these will help consumers and firms and build on the opportunities and benefits that already exist for consumers in the digital economy.

What might this look like?

- **Data equity:** information flows have driven the digital economy based on rules set by large global corporations. Giving consumers the power to share, invest and curate data flows on their own terms will help shape a people-centered, innovative and safe internet where data works hard for them and is not simply signed away for free.
- **Consumers better able to shape markets:** Consumers' needs, behaviours and views have played a central role in shaping virtual markets by responding directly to firms through social media and reviews which can then be used by others. There is an opportunity to revitalise the consumer voice in shaping markets by better use of trusted data sharing that enables them to share their intentions and demands for the market.
- **Vital service provision:** HICs may have witnessed radical changes to existing consumer services, but for LMICs, the shift was even more transformational. In many cases it made access to essential life sustaining utilities possible for the first time. For example, pay-as-you-go [mobile money models](#) enabled low-income customers to pay small amounts digitally for water, or to finance assets like home solar systems. We can build from this to create better market conditions for other products and services that meet the needs of local populations.
- **Delivering green and healthy transition:** COVID-19 accelerated the digitalisation of several markets worldwide almost overnight. The transition is ongoing and presents a valuable opportunity to rebuild the future sustainably. To transform equitably, firms should counsel with their partners on the demand and supply sides, such as end consumers, employees, supply-chain partners and more to devise a comprehensive and futureproof plan.
- **Increased choice:** Access to a cross border markets means means consumers can shop a larger range of goods from local, national and international sellers. The next opportunity is in exploiting traceability systems and supply-chain information to help consumers

easily act on their intentions to buy more sustainable and ethical products and support socially responsible platform business models.

- **Information upload:** Greater access to information, ratings and user reviews that consumers can use to search out and compare products. As faith in information dips, there's an obvious opportunity in smarter management, curation and authentication to save time and build back trust.
- **Convenience:** An array of choice in products and services, available from connected devices that can be used anywhere, at any time. An established and expanding delivery infrastructure means consumers can get a range of items delivered to their homes at different times. The next step is to streamline delivery infrastructure to reduce environmental burdens, improve employees' rights and ensure genuine choice in services is available.

8 Challenges

Despite the potential, there are obstacles that could make applying a consumer rights framework difficult.

Embedded practices at corporate level: Tech incumbents have developed both the method of (self-) regulation and the norms of what gets regulated—the bits of consumer rights necessary for them to function, but not for consumers to be fully protected. They may take the view that focusing on these consumer protections and delivering satisfactory services in the short and medium terms will offset any deeper concerns that people may have about the longer-term collective impact.

Without consumer support for the transformations that would shift the balance in their favour, structural changes such as redefining platform responsibility and monitoring marketplaces proactively may not gain traction. If they do, larger firms are better able to absorb the costs of regulation, which may set too high a bar for smaller firms and deplete new entrants.

Low priority at government level: In HICs, consumer protection is sometimes not fully integrated into digital strategies. In LMICs, where regulatory resources are more scarce, digital issues may not be a priority over longer-standing concerns such as access to water, energy and food security. This means that consumer strategies may miss the opportunity to join up with digitalisation strategies.

As digital regulatory units develop their capacity, there is a risk that consumer interests will be sidelined in decisions about market share or intellectual property protection. Presenting consumer protection not just as a compliance burden but rather as an optimistic basis on which to build better-functioning and more respectful markets could help here.

Enforcement expense: Monitoring, surveillance and enforcement are cumbersome and expensive, which is why the best-written regulations can end up having minimal impact. Enforcement technology could help here, as investment in them can eventually reduce costs and help to resolve real-time problems. However, RegTech, SupTech and enforcement tech all require cross-border information flows to function properly, and firms based in different jurisdictions may resist this, with the support of their governments.

Uneven resources: Higher-income and regionally powerful countries are both developing internal rules for digital consumers and leading international cooperation and capacity-building. More can be done to strengthen the institutions and processes for resource-scarce countries in a way that matches their needs. Pressure to “cut and paste” Western-developed regulations like the GDPR, which require huge investment, may limit their development, and these recommendations have been perceived by some emerging economies as a form of technological colonialism.

Geopolitical considerations are important here, too. While there is broad consensus on consumer rights as a purpose-driven framework, the details of data policy, net neutrality, AI ethics and infrastructure will be influenced by the wider aims of blocs to limit the open internet and the consumer and privacy protections within it. International funders and agencies would be well placed to develop programmes that build the digital capacity of governments and civil society in LMICs to develop their own regulatory response.

Cross-border cooperation challenges: Annual funding of consumer protection agencies in OECD members countries [ranges](#) from \$0.04 million to \$285 million. In many places outside this bloc the figure is potentially far less—if there is a consumer protection agency at all. In the same survey, 70 per cent of countries reported that resource issues were a barrier for cross-border cooperation, alongside lack of legal power, privacy and data protection, confidentiality, and incompatible legal frameworks.

An UNCTAD [survey](#) of 87 UN member states found that only 40 per cent have cross-border cooperation on enforcement. This impacts the cross-border cooperation that is required in a global digital market. Whilst consumer protection is present in all aspects of international market regulation and economic development, it is poorly resourced, which makes cross-border cooperation challenging.

9. Conclusion

9.1 How We Got Here

This paper has set out how the regulatory discipline of consumer protection evolved over the years into a valuable approach not just for consumers in the digital economy but for everyone impacted by rapid and disruptive technological transformation.

The social and economic context in which consumer rights principles first emerged addressed key purposes that remain relevant in the digital age—the equalisation of asymmetrical relationships between the supply and the demand side, the need for safe products and environments, and access to the essentials required for life.

Consumer rights principles have remained relevant as they take a holistic view of the individual in the market and their experiences across multiple sectors and multiple interactions. The established cross-border infrastructure which matured with the recognition of consumer rights means that there is potential for coordination in a way that matches the multinational nature of digital markets. However, low funding and capacity of agencies, particularly in LMICs and LDCs, and some outdated provisions make this challenging.

Coordination and strength from consumer protection is needed more than ever as the benefits of mass consumer internet access are shadowed by harmful impacts. While digital firms have flexed their innovation muscles for the elements of consumer rights and protection that benefit them, they have ignored many fundamentals: fair treatment, information and, increasingly, choice of provider.

9.2 Where We Go Next

The commonalities between challenges for people in digital markets and in society allow for a serious consideration of how to shape responses in a more integrated way. In a dialogue frequently polarised by either fear or blind utopianism, consumer protection offers an optimistic route to change based on building better-functioning markets characterised by more equal and respectful relationships.

Further recommendations can be developed from a foundation that emphasises:

- The value of consumer protection for firms as a basis for innovation, so that they can forge a new relationship with consumers based on more than just frictionless connections between people and products.
- An evidenced-based approach that fully interrogates how novel harms are appearing in digital markets, the way established patterns of harm are playing out in new contexts and evidence for how opportunities could be better maximised in digital markets.
- Policymakers and firms can also make use of the extensive digital toolbox identified in the research, by taking the best of technology and applying it to solve technology problems with a reinvigorated approach to legal, regulatory and enforcement concepts.
- Equalising the roles of countries with low consumer protection policy and emerging digital connectivity so that they are protected as new tools and services are rolled out by

investing and supporting the right frameworks for their circumstances and by enabling their voices to be heard in multilateral decision-making.

- The value for policymakers of working with those focusing on digital rights in the public arena to see where consumer approaches may be helpful in nonmarket settings, and vice versa.
- The potential for technology built on open data to ensure that consumers can easily uphold their rights in the digital market.
- The potential for trusted, digital market-based solutions to create new models that will create clean, green, circular and just economies.

Appendix

International Institutions

INSTITUTIONS AND INSTRUMENTS	IMPACT
<p>UN Guidelines on Consumer Protection (UNGCP)⁹ give consumer rights legitimacy and practical support to develop national consumer protection legislation, frame minimum standards, share information, and guide regulation and inspection. Consumer rights are not technically rights in international law like, for example, the United Nations Human Rights.</p>	<p>2015 revision included rights to equivalent protections for e-commerce and the protection of consumer privacy and global free flow of information.</p>
<p>UNCTAD (UN Conference on Trade and Development) is the home of the UNGCP. Under the guidelines, it is mandated to carry out various international cooperation activities. UNCTAD also houses a standing body, the Intergovernmental Group of Experts (IGE), to monitor the application and implementation of the UNGCP, provide a forum for consultations, produce research and studies, and provide technical assistance to LMICs and LDCs.</p>	<p>UNCTAD E-commerce and Digital Economy Programme is focused on building the capacities of developing countries to use the digital economy as an opportunity for inclusive development. Programmes include e-commerce readiness, law reform and technical assistance. A working group on e-commerce looks at common issues such as dark patterns and greener e-commerce.</p>
<p>World Trade Organisation (WTO) governs trade agreements which often regard consumer protection rules as a barrier. National and international consumer associations are observers to trade negotiations and have fought hard over the years to prevent the dilution of consumer protections in the name of free trade.</p>	<p>The WTO's programme on e-commerce has been in place since 1998 and principles of consumer rights will be included in future WTO e-commerce trade deals. The online consumer protection article requires members to adopt or maintain measures that proscribe misleading, fraudulent and deceptive commercial activities that cause harm, or potential harm, to consumers engaged in e-commerce.</p>
<p>International standardisation¹⁰ is tightly linked to consumer protection such as through the information security standard developed by the International Organization for Standardization and the International Electrotechnical Commission (ISO-IEC). ISO-IEC standards are recognised in multilateral and bilateral trade treaties of the WTO, and in countries with low regulatory maturity they are often used to fill gaps in governance. Technical standards can be mandated for use in national or supranational settings to enable implementation of legislation (e.g. the proposed AI Act in the EU uses a product safety approach that relies on the implementation of harmonised standards).</p>	<p>ISO-IEC Joint Technical Committee ICT develops technical standards that impact consumer markets such as cybersecurity and AI. For consumer standards, ISO has also published market standards, for example principles and requirements for the collection, moderation and publication of online consumer reviews, and is developing standards on clear online terms and conditions.</p>
<p>International Consumer Protection Enforcement Network (ICPEN) is a membership organisation that consists of consumer-protection law enforcement</p>	<p>ICPEN hosts the econsumer.gov initiative, an online tool that enables consumers in 35 member countries to submit complaints online. This data provides intelligence that can support consumer protection and</p>

⁹ Adopted by the UN in 1985 and revised in 1999 and 2015.

¹⁰ The impact of ISO-IEC standards on global rule-making is significant, and the influence of nonmarket economies on its processes (as also seen in institutions like the ITU) is the same for consumer protection issues.

authorities from across the world. Its current membership stands at 65 countries.	law enforcement authorities in their investigations of, and actions against, international scams.
International Financial Consumer Protection Organisation (FinCoNet) was established in 2013 as an international organisation of supervisory authorities responsible for financial consumer protection. FinCoNet promotes sound market conduct and strong consumer protection through supervising the conduct of financial markets.	FinCoNet published reports on the supervision of online and mobile payment risks, and on digitalisation of high-cost, short-term credit.

Regional Institutions

ORGANISATION	IMPACT
Association of South East Asian Nations (ASEAN) has a committee on consumer protection and aims to implement, monitor and support consumer protection in member countries and improve harmonisation of regional arrangements.	Enables information sharing on digital policy in the region and crafted the ASEAN Framework on Personal Data Protection (2016).
EU Consumer Protection Network is a network of authorities responsible for enforcing consumer protection laws to protect consumers' interests in EU and EEA countries when dealing with traders in other European countries.	Joint action with European Commission taken on online platforms such as Airbnb and Booking.com resulted in agreements to improve and clarify the way they present accommodation offers to consumers, for example displaying the full price with all local and mandatory taxes. Also secured commitments on changes to in-app purchases and app marketing in 2013. Priorities for 2020–2021 included digital fraud.
G20 is a regular international meeting of leaders of HICs which have a disproportionate influence on global consumption and on global rule-making. Involved in consumer finance issues in the wake of the 2008 recession but did not host a consumer summit until 2017.	Resulted in a leader statement on digital consumer trust (2017, 2018). G20 digital ministers and leaders adopted commitments on digital rights in their final statements at the first G20 consumer summit in 2017, and further commitments relating to security for vulnerable consumers were adopted at the G20 summit in 2017.
OECD has a consumer protection committee that comprises national consumer protection agencies. It develops guidelines and instruments that members are expected to adopt. For example, in response to the financial crisis in 2008, a G20/OECD Task Force on Financial Consumer Protection published a set of High-Level Principles on Financial Consumer Protection which were later referenced in the 2015 revision of the UNGCP. In 2003, while e-commerce was in its infancy, they published guidelines for protecting consumers across borders.	OECD published e-commerce guidelines (2016) which offered an outline for regulators, and for an evaluation of protections. The OECD Privacy Framework was updated in 2013 with new guidelines. The OECD toolkit for protecting digital consumers (2018) covered fair business and advertising practices, payment transactions, privacy and security, product safety, redress and dispute resolution, regulatory frameworks, enforcement and cross-border cooperation.
Ibero-American Forum of Consumer Protection Agencies (FIAGC) is a regional forum composed of consumer protection agencies in Latin America, Portugal and Spain to promote cooperation and improve public policies on consumer protection.	FIAGC previously had working groups on e-commerce and the digital economy, but both are now disbanded.

Other Institutions

Other digital consumer protection coordination takes place in new networks and institutions:

- **US–EU Trade and Technology Council** was established in 2021 to lead values-based global digital transformation. Working groups cover issues relevant to consumer protection, such as technical standards cooperation, secure supply chains, ICT security and competitiveness, data governance and technology platforms, and with relevance to human rights including the misuse of technology threatening security.
- **African Development Bank** hosts the Africa Digital Financial Inclusion Facility (ADFI), which is focused on achieving universal access to digital financial services as a driver of inclusive growth across Africa.
- **Global Privacy Enforcement Network (GPEN)** is a [network](#) of privacy enforcement authorities sharing best practice in privacy law enforcement.
- **G-FIN** is a cross-border fintech and regtech specialist network committed to supporting financial innovation in the interests of consumers.