

**DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY
COMMITTEE ON CONSUMER POLICY**

**DSTI/CP/A(2002)1/REV1
For Official Use**

**REVISED ANNOTATED DRAFT AGENDA FOR THE
62ND SESSION OF THE COMMITTEE ON CONSUMER POLICY**

**To be held on 13-14 March 2002
Château de la Muette, Paris**

Delegates will find attached the revised annotated Draft Agenda for the 62nd Session of the Committee on Consumer Policy, to be held at OECD Headquarters on 13-14 March 2002. The meeting will commence at 10:00 on the first day. It will include a half-day Forum Session on Cross-border Remedies, starting at 9:30 on 14 March. The Committee Plenary Session will resume following lunch on 14 March.

Contact person: Michael Donohue, Tel: + 33 1 45 24 14 79
Fax: + 33 1 44 30 62 59; michael.donohue@oecd.org

JT00121543

COMMITTEE ON CONSUMER POLICY

REVISED ANNOTATED DRAFT AGENDA FOR THE 62ND SESSION

**To be held at the OECD, Château de la Muette, Paris
13-14 March 2002, beginning at 10:00 on the first day**

COMMITTEE PLENARY SESSION

1. ELECTION OF THE BUREAU
2. ADOPTION OF THE AGENDA DSTI/CP/A(2002)1/REV1
3. APPROVAL OF THE SUMMARY RECORD OF THE 61ST SESSION OF CCP DSTI/CP/M(2001)2
4. STATEMENT BY THE SECRETARIAT
5. WORK PROGRAMME FOR 2003-2004 DSTI/CP(2002)1
C(2001)239/REV1
6. ASSESSING THE IMPACT OF THE GUIDELINES DSTI/CP(2002)3
 - (a) Second Report: Member Country Implementation of the Guidelines for Consumer Protection in the Context of Electronic Commerce (Revised Draft)
 - (b) Update on educational initiatives
7. STATISTICAL INFORMATION ON B2C TRANSACTIONS
8. CONSENSUS BUILDING ON CORE CONSUMER PROTECTIONS DSTI/CP(2002)2
 - (a) Common approaches to defining a deceptive or misleading practice: Update from the International Marketing Supervision Network (IMSN)
 - (b) Best Practices Examples under the Guidelines for Consumer Protection in the Context of Electronic Commerce
9. POLICY ISSUES FOR CROSS-BORDER ENFORCEMENT CO-OPERATION DSTI/CP/RD(2002)1
DSTI/CP(2001)7

Forum Session on Cross-Border Remedies

Please see the attached Draft Agenda for the Forum Session, which will be held on 14 March 2002 from 9:30 to 13:00. The Committee Plenary Session will resume following lunch on 14 March.

-
10. DISPUTE RESOLUTION FOR CROSS-BORDER CONSUMER TRANSACTIONS
- (a) Alternative Dispute Resolution (Joint Work with the Working Party on Information Security and Privacy)
- i) Progress Report on ICC-OECD inventory DSTI/ICCP/REG/CP/RD(2002)1
- ii) Legal Synthesis DSTI/ICCP/REG/CP(2002)1
- iii) Educational Instrument DSTI/ICCP/REG/CP(2002)2
- iv) Update from the Working Party for Small and Medium-Sized Enterprises
- (b) Discussion Concerning the Possible Declassification of the (Revised) Report on Consumer Protections for Payment Cardholders DSTI/CP(2001)3/REV1
- (c) Update on efforts in other fora to address jurisdiction and applicable law for consumers
- i) Judgments Project of the Hague Conference on Private International Law (HCOFIL)
- ii) Work of the OECD Centre for Tax Policy and Administration on jurisdiction in the context of B2C digital downloads
11. HORIZONTAL CO-ORDINATION
- (a) Codes of Conduct
- (b) Environment and Sustainable Consumption
- (c) Management of the Internet Domain Names System: Policy Issues Arising from the OECD Experience DSTI/ICCP(2002)8
12. OUTREACH
- (a) Non-member countries DSTI/ICCP(2002)9
- (b) Activities in other fora
13. OTHER BUSINESS
- (a) Annual reports
- (b) OECD Web site developments
- (c) Possible dates for next session:
3-4 October or 14-15 October 2002
-

FORUM SESSION ON CROSS-BORDER REMEDIES
Thursday, 14 March 2002, 9:30-13:00

Presentations and discussion are anticipated under each item.

I. Overview of the Issues

DSTI/CP(2001)7

- (a) Preliminary enforcement survey results
- (b) Obstacles to cross-border enforcement

DSTI/CP/RD(2002)1

II. Presentation of Case Studies

III. Approaches in Other Areas

- (a) Cross-border enforcement of competition laws
- (b) Convention on Cybercrime

IV. Current Efforts to Address the Challenges

- (a) IMSN and econsumer.gov
- (b) Bilateral and multilateral arrangements
- (c) Legislative initiatives in Member countries
- (d) EU initiatives
- (e) Judgments project of the Hague Conference on Private International Law

V. Discussion of Next Steps

NOTES ON THE DRAFT AGENDA

ITEM 1:	ELECTION OF THE BUREAU	
<i>Action required:</i>	The Committee is invited to elect its Bureau.	
ITEM 2:	ADOPTION OF THE AGENDA	DSTI/CP/A(2002)1/REV1
<i>Action required:</i>	The Committee is invited to adopt the Draft Agenda.	
ITEM 3:	APPROVAL OF THE SUMMARY RECORD OF THE 61ST SESSION OF CCP	DSTI/CP/M(2001)2
	The Secretariat has received no comments on document DSTI/CP/M(2001)2, the Summary Record of the Committee's 61st Session, held on 17-18 September 2001.	
<i>Action required:</i>	The Committee is invited to approve the Record of its 61st Session.	
ITEM 4:	STATEMENT BY SECRETARIAT	
	The Director for Science, Technology and Industry will provide perspective on OECD issues impacting the work of the Committee.	
<i>Action required:</i>	For information .	
ITEM 5:	WORK PROGRAMME FOR 2003-2004	DSTI/CP(2002)1 C(2001)239/REV1
	Document DSTI/CP(2002)1 contains the initial proposals of the Secretariat for the Committee's Programme of Work for 2003-2004. Delegates will find in Annex I "voting sheets" on which they are invited to indicate on a preliminary basis the priorities (High, Medium, Low) they give to the proposed activities. The voting sheets should be filled in and returned to Michael Donohue of the Secretariat by 6 March 2002. Delegates are reminded that the OECD Council extended the Mandate of the Committee until 31 December 2004, as is reflected in document C(2001)239/REV1.	
<i>Action required:</i>	The Committee is invited to discuss document DSTI/CP(2002)1, and set its priorities for 2003-2004.	

ITEM 6: ASSESSING THE IMPACT OF THE GUIDELINES

(a) **Second Report: Member Country Implementation of the Guidelines for Consumer Protection in the Context of Electronic Commerce (Revised Draft)**

DSTI/CP(2002)3

The Secretariat has continued to monitor implementation activities in Member countries. Document DSTI/CP(2002)3, a revised draft of a report on those activities, is expected to form the basis of a Report on the Guidelines from the Committee to the OECD Council later this year.

Action required: Delegates will be invited to **discuss** Document DSTI/CP(2002)3 and **decide** on the process through which the Committee will report to Council.

(b) **Update on educational initiatives**

The Secretariat will present an oral report on the educational components of the Committee's work on payment cardholder protections, the Guidelines, and alternative dispute resolution.

Action required: Delegates will be invited to **discuss** the role of educational initiatives in Committee work.

ITEM 7: STATISTICAL INFORMATION ON B2C TRANS-ACTIONS

The Secretariat will provide an update on B2C electronic commerce statistics.

Action required: For **information**.

ITEM 8: CONSENSUS BUILDING ON CORE CONSUMER PROTECTIONS

(a) **Common approaches to defining a deceptive or misleading practice: Update from the International Marketing Supervision Network (IMSN)**

A representative of the IMSN will present an oral update on Network activities, with particular attention to its work on deceptive and misleading practices.

Action required: Delegates will be invited to **discuss** future Committee work on this issue.

(b) **Best Practices Examples under the OECD Guidelines for Consumer Protection in the Context of Electronic Commerce**

DSTI/CP(2002)2

The Secretariat will introduce document DSTI/CP(2002)2, a product of the Working Group on Guidelines Follow-up. It is intended to provide practical guidance to governments, businesses and consumers on elements of the Guidelines.

Action required: The Committee will be invited to **discuss** this document, including its possible declassification.

ITEM 9: POLICY ISSUES FOR CROSS-BORDER ENFORCEMENT CO-OPERATION

DSTI/CP/RD(2002)1
DSTI/CP(2001)7

Forum Session on Cross-Border Remedies

The latest in an occasional series of Committee forum sessions, this item will focus on the issue of cross-border remedies. Building on a March 2000 Forum Session on Cross-border Co-operation, and Working Groups efforts, the Committee will tackle a number of the challenges in this area. Experts from other areas will share their experiences with the Committee and delegates will discuss their own challenges and responses to this important issue. Document DSTI/CP(2001)7 provides background information regarding the issues to be covered.

Action required: Delegates are invited to **participate** in the Forum Session discussions.

ITEM 10: DISPUTE RESOLUTION FOR CROSS-BORDER CONSUMER TRANSACTIONS

(a) **Alternative Dispute Resolution (Joint Work with the Working Party on Information Security and Privacy)**

i) Progress Report on ICC-OECD inventory

DSTI/ICCP/REG/CP/RD(2002)1

A representative from the International Chamber of Commerce (ICC) will provide an oral update on the ICC-OECD questionnaire and inventory work. Document DSTI/ICCP/REG/CP/RD(2002)1 is the questionnaire sent out to ADR providers that will provide the basis of the inventory.

Action required: For **information**.

ii) Legal Synthesis

DSTI/ICCP/REG/CP(2002)1

Document DSTI/ICCP/REG/CP(2002)1 is the version of the “Draft Synthesis of Member Country Responses to the Questionnaire on Legal Provisions related to Business-to-Consumer Alternative Dispute Resolution (ADR) in relation to Privacy and Consumer Protection” which was placed on the ADR EDG on 22 January 2002. Comments were received from Australia, France, Japan, Sweden, United Kingdom, United States and BIAC. These comments are currently being incorporated into the text and a revised document will be issued at a later stage.

Action required: Delegates will be invited to **discuss** DSTI/ICCP/REG/CP(2002)1 and to **decide** on any further direction for wrapping up the current work programme on ADR, including the possibility of requesting declassification by written procedure of the revised version of the document.

iii) Educational Instrument

DSTI/ICCP/REG/CP(2002)2

DSTI/ICCP/REG/CP(2002)2 is the Draft ADR Educational Instrument “Resolving Disputes On Line: Asking the Right Questions about ADR”. This document reflects comments received from ADR EDG members to date.

Action required: Delegates will be invited to **discuss** DSTI/ICCP/REG/CP(2002)2 and to **decide** on any further direction for wrapping up the current work programme on ADR, including the possibility of requesting declassification by written procedure of the revised version of the document.

iv) Update from the Working Party on Small and Medium-Sized Enterprises

The Secretariat will provide an oral report on work under way to address the issue of online ADR for SMEs.

Action required: For **information**.

(b) Report on Consumer Protections for Payment Cardholders with Frequently Asked Questions

DSTI/CP(2001)3/REV1

The Working Group has revised its report, DSTI/CP(2001)3/REV1, to include a new section on the importance of cardholder education and a set of Frequently Asked Questions for cardholders, which is attached as an Annex.

Action required: Delegates are invited to **discuss** the revised report, including its possible declassification.

(c) **Update on efforts in other fora to address jurisdiction and applicable law**

i) Judgments Project of the Hague Conference on Private International Law (HCOFIL)

A representative of the HCOFIL will provide an update on efforts to produce a global convention that would include provisions governing jurisdiction in certain business to consumer transactions. Information, including the most recent draft text, is available at:

<http://www.hcch.net/e/workprog/jdgm.html> and

<http://www.cptech.org/ecom/jurisdiction/hague.html>

Action required: For **information**.

ii) Work of the OECD Centre for Tax Policy and Administration on jurisdiction in the context of B2C digital downloads

The Secretariat will provide an update on ongoing work in the OECD Centre for Tax Policy and Administration with regard to jurisdiction verification of online consumers.

Action required: For **information**.

ITEM 11: HORIZONTAL CO-ORDINATION

(a) **Codes of Conduct**

The Secretariat will provide an oral update on the second phase of the ICCP Committee's Codes of Conduct project.

Action required: For **information**.

(b) **Environment and Sustainable Consumption**

The Secretariat will provide an update on work on sustainable consumption being carried on in the Environment Directorate. The report, "Household Food Consumption Patterns: Trends, Environmental Impacts and Policy Responses", is now available from the OECD Web site: <http://www.oecd.org/env/consumption>.

Action required: For **information**.

(c) **Management of the Internet Domain Names System: Policy issues arising from the OECD experience**

DSTI/ICCP(2002)8

The Secretariat will provide an update on policy issues arising from the recent cybersquatting of the *ocde.org* domain name.

Action required: For **information**.

ITEM 12: OUTREACH

(a) **Non-member countries**

DSTI/ICCP(2002)9

The Secretariat will provide an update on recent and future activities with non-member countries.

Action required: For **information**.

(b) **Activities in other fora**

Brief updates on selected activities in other fora will be presented. Delegates who desire additional information are invited to visit the Web sites listed below:

APEC (Asia-Pacific Economic Cooperation)

<http://www.ita.doc.gov/td/industry/otea/ecommerce/apec/>

COPOLCO (ISO Committee on Consumer Policy)

<http://www.iso.ch/iso/en/aboutiso/isostructure/COPOLCO.html>

FTAA (Free Trade Area of the Americas)

http://www.ftaa-alca.org/SPCOMM/COMMEC_E.ASP

GBDe (Global Business Dialogue on Electronic Commerce)

<http://consumerconfidence.gbde.org>

TACD (Trans Atlantic Consumer Dialogue)

<http://www.tacd.org/events/meeting4/events-sub6.htm>

UNCTAD (United Nations Conference on Trade and Development)

<http://www.unctad.org/en/subsites/cpolicy/index.htm>

UNECE (United Nations Economic Commission for Europe)

<http://www.unece.org/trade/entdev/internet/prog.htm>

ITEM 13: OTHER BUSINESS**(a) Annual reports**

Delegates are reminded to provide Annual Reports for the year 2001 to the Secretariat and that the Reports are made available at: <http://www.oecd.org/EN/documents/0,,EN-documents-44-1-no-11-no-0,FF.html>

(b) Web site development

The Secretariat will provide an update on the OECD public site and the possible development of a password-protected site for delegates to obtain information about the work of the Committee.

Action required: For **information**.

(c) Possible dates for next session:

3-4 October or 14-15 October 2002

Action required: For **information** and **discussion**.