



# ASEAN HIGH-LEVEL PRINCIPLES ON CONSUMER PROTECTION

Supported by:



## **EXECUTIVE SUMMARY**

The aim of ASEAN's consumer policy is to make the ASEAN Economic Community (AEC) a reality for 600 million ASEAN citizens by making consumer protection an integral part of a modern, efficient, effective and fair market place. That means protecting consumers from serious risks and threats that they are unable to tackle as individuals; empowering them to make choices based on accurate, clear and consistent information; enhancing their welfare and effectively protecting their safety as well as their economic interests. It also means protecting the interests of vulnerable consumers and those less able to protect their own interests.<sup>1</sup>

This is to be achieved through the development of a common consumer protection framework in which a set of high-level consumer protection principles prescribes the structure of enabling policies and programmes for ASEAN, thus ensuring close alignment among AMS. The ASEAN High-level Principles (AHLP) for consumer protection are intended to provide the highest level of guidance for consumer protection policy and planning, including in e-commerce drawing on existing international and regional principles and best practices.

The High-level Principles are intended to support ASEAN Member States (AMS) in their efforts to improve consumer protection in the legislative, institutional and other dimensions. They also provide a broad framework for AMS in seeking to achieve the goals of the ASAPCP 2025 in the area of development of laws, regulations and enforcement arrangements that are more detailed and closely tailored to the goals of ASEAN integration.

## **1. OVERVIEW**

### **Defining High-Level Principles**

There are a range of definitions of 'principle', 'guiding principle' and/or 'high-level principle' that are potentially relevant to this work. Working to an agreed definition is important and the following has been used to define high-level principles in this document:

*“A broad philosophy that guides an organisation throughout its life in all circumstances, irrespective of changes to goals, strategies, type of work or top management arrangements”.*

Principles therefore are the concepts that give an organisation guidance in circumstances, even if goals change and work changes. Translated into an ASEAN context, high-level consumer protection principles represent the broad framework for consumer protection amongst AMS. The key factor is that priorities and actions are determined at each AMS-level, but this is done within the context of a regional approach to high-level principles.

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<sup>1</sup> The ASEAN High-Level Principles were developed with the support of AADCP II and its consultant Mr John Lawrance, NI-CO, basing on the earlier work of Dr Hassan Qaqaya (ASEAN-German Cooperation Programme as implemented by GIZ)

The ACCP adopted the ASEAN Strategic Action Plan for Consumer Protection (ASAPCP) 2025 which identifies 4 goals:

- A common ASEAN consumer protection framework is established
- A high common level of consumer empowerment and protection is ensured
- High consumer confidence in the AEC and cross-border commercial transactions is instituted
- Consumer concerns in all ASEAN policies are integrated

The development of a series of ASEAN High-Level Principles (AHLP) is in itself one of the outcomes (1.1) set out in the ASAPCP – ‘A set of high-level principles is adopted’. The high-level principles are simply one element of the whole policy and planning process.

Put simply, the high-level principles need to have a follow-through practical effect and ultimately play a part in leading to beneficial outcomes for consumers and therefore the wider national and regional economy. Thus, seen within this broader context, they are meant to provide the consistent framework for the development of laws, regulations and arrangements and enable sound practices across the region.

## **2. ANALYSIS OF CONSUMER PROTECTION TRENDS AND DEVELOPMENTS IN ASEAN**

This development of the AHLP is a key intervention in supporting broader strategic measures set out in the ASEAN Economic Community (AEC) Blueprint 2025 and the ASEAN Strategic Action Plan for Consumer Protection (ASAPCP) 2025. The adoption of the AHLP by AMS will contribute specifically to Strategic Goal 1: ‘A Common ASEAN Consumer Protection Framework is established’, and specifically, Outcome 1.1 ‘A set of high-level principles for consumer protection is adopted’.

The development of a series of high level consumer protection principles are critical in that they:

- ✓ Set benchmarks on key aspects of consumer protection;
- ✓ Address legislative and information gaps as a basis for the modernization of consumer protection legislation;
- ✓ Provide an agreed set of criteria for peer reviews and peer learning that enhances regional cooperation and convergence in policy.

Indeed, consumer protection is important not just in itself, but in the contribution it makes to the broader economic development objectives by helping to promote competitive markets, growth, efficiency and innovation over the long-term. There are clear links between demanding consumers and ASEAN’s economic development. The more informed and demanding consumers are, the more likely that business is to respond, improving competitiveness and leading to better value across the ASEAN region. The establishment of high-level consumer protection principles is a key step in this process

There are more than 600 million consumers in the regional ASEAN market and they have the potential to act as drivers to enable healthy economic growth. Consumer protection is therefore rightly a priority on the agenda of the ASEAN Economic Community. It is thus noted that:

- **Open and competitive markets** in the ASEAN region are a good guarantee of ensuring a good deal for consumers by encouraging innovation by businesses
- **Good information through consumer education programmes** helps consumers make the best choices
- **Speedy redress**, so that if things go wrong, consumers can get the matter rectified quickly
- **Consumer laws** which are able to deal with innovative markets and new situations such as e-commerce, adequately protecting consumers, and relying on collective endeavours to protect consumers
- **A risk-based approach** to ensure a focus on those matters of greatest concern to consumers – in particular recognising changing patterns of trade
- **Businesses' role** could be enhanced to engender greater trust and confidence including in online purchasing
- The **consumer voice** should be heard in the ASEAN Governments and consumer representation should be effective
- **A collective and coherent approach** to consumer protection.
- **Effective consumer protection management**, focused on policies and planning – integrated at a regional level and effectively delivered at the Country level.

### **3. THE HIGH-LEVEL CONSUMER PROTECTION PRINCIPLES AND RATIONALE**

#### **Introduction**

The ASEAN High-Level Principles (AHLP) are intended to support AMS in their efforts to improve consumer protection as ASEAN launches the ASEAN Economic Community (AEC). They provide the direction for a broad framework on consumer protection for ASEAN. They also provide a consistent context for those laws and arrangements and, in so doing, promote a common base level of cooperation and exchange of experiences and best practices. Moreover, given the challenges that ASEAN consumers face both at the domestic, regional and international levels, the principles promote ASEAN cooperation, including in addressing consumer redress in cross-border shopping, travel, education and access to other services.

The AHLP constitute a broad framework of sound practices relevant to all ASEAN Member States. Broad applicability of the high-level principles, however, does not mean a one-size-fits-all approach to consumer protection. Application of these principles should be proportionate to the level of development and tailored to the scale and scope of its markets and consumer interests over the course of the ASAPCP 2025 and beyond.

In formulating the high-level principles, account has been taken of the recent revision of the United Nations Guidelines for Consumer Protection 2015 (UNGCP)<sup>2</sup>, the 2016 Consumer Protection in E-commerce<sup>3</sup>, as well as lessons learned from ASEAN experiences and challenges which are summarized in ASAPCP 2016-2025.

Cross-cutting policy strategies to enhance ASEAN consumer protection are needed to provide a coherent framework for government actions in this area, within the broader ASEAN Vision 2025. Such strategies are instrumental in defining a specific consumer protection policy with clear objectives and implement related measures as well as to provide a framework for monitoring and evaluation.

The ASAPCP identified three interrelated gaps in the area of ASEAN consumer protection policy: *a legislative gap* (due also to the fact that several AMS, do not have comprehensive consumer laws and regulations, *an information gap* (insufficient understanding of rules and their application in practice) and an *implementation gap* (due to insufficient resources and inadequate application of rules, lack of cooperation among relevant administrations operating in a consumer protection context). These gaps clearly suggest the need for more capacity building and also experience sharing for AMS.

The AHLP on consumer protection contained this report attempts to address these gaps and are adaptable to changes in the AEC, and should form the basis for the modernisation of consumer protection legislation in ASEAN and strengthening of the enforcement capacities of consumer agencies. These Principles are expected to facilitate AMS in benchmarking against international best practices vis-à-vis existing provisions and assist them in the modernization of consumer protection legislation.

#### **4. PRINCIPLES AND RATIONALE**

<b>Principle 1 – Enforcement of Consumer Protection Laws are Fair, Consistent, Effective and Proportionate</b>
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##### **Rationale**

It is observed that consumer protection laws are imperative instruments that guide governments and their relevant agencies in matters of required enforcement on businesses that are taking advantage of consumers through unfair trade practices. Nine AMS currently have general consumer protection laws. Of these countries, the consumer protection laws range from ordinances encapsulating the general principles of consumer protection to detailed statutes containing specific measures that should be taken to curb such practices. However, it has been observed that a few AMS still have to implement concrete mechanisms for implementation of consumer protection and consumer redress, including those affecting e-commerce.

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<sup>2</sup> United Nations revised Guidelines for Consumer Protection adopted by unanimous decision at the General Assembly in resolution A/RES/70/186 of 22 December 2015; the OECD Council revised the

<sup>3</sup> Recommendation of Consumer Protection in E-commerce of 24 March 2016.

AMS need to introduce adequate laws and technical regulations in the interest of protecting consumers as well as improving the supply, distribution, quality and safety of goods and services. AMS will also need to ensure that measures are in place to allow consumers to receive the appropriate redress for any violation of their consumer rights and to increase the amount of consumer rights awareness in order to empower each consumer in exercising these rights.

In order to meet the ASAPCP 2025 goals, a certain amount of legislative work needs to be undertaken in order to ensure all AMS have a functioning consumer protection law that clearly provides for the various rights of a consumer and also identifies the powers of the enforcement agency or ministry.

The legislation also needs to address issues brought up through concurrent jurisdiction with other sector regulators in order to minimise duplication of work. AMS will also have to analyse the current deficiencies that exist either in their legislation or within the enforcement agency in relation to the provision of effective redress to consumers to ensure the principle of accessible and efficient complaint handling mechanisms are met.

Securing effective outcomes from the development of consumer protection legislation is therefore far more than the drafting of laws. The impact of those laws on businesses and the lives of consumers is as much to do with how they are applied by consumer protection market surveillance authorities.

These authorities have a range of tools at their disposal. These include advice, education, inspection, enforcement etc. It is important that the right tool is selected to ensure the most cost/effective outcomes. In addition, the activity needs to be focused on those areas of highest risk to consumers. In doing so, there is a need for the competent consumer protection market surveillance authorities to be equipped with the legal powers, necessary skills and competencies to undertake their functions in accordance with best practice criteria.

Risk assessment therefore is an essential means of directing resources where they can have the maximum impact. Undertaking risk assessments means that a proper account is taken of the nature of the business and all the factors that the risks pose to consumers. On the basis of this information, market surveillance bodies can direct resources to where they can do most good. They can end unnecessary inspections or data reporting requirements on less risky businesses and identify businesses who need more inspections and release resources from inspections to broader advice services.

Put simply, there is a need for up-to-date legislation, supervised by market surveillance authorities applying risk based methodologies. There are numerous examples around the world of consumer protection market surveillance authorities labouring under outdated or incomplete legislation.

## **Principle 2 – Consumers are Equipped with the Skills, Knowledge, Information and Confidence to Exercise their Rights**

### **Rationale**

Good, reliable information is essential if consumers are to make the right choice. They need to know the price and the quality of competing products. In many cases, they need to know whether they are safe, the quantity is accurate and the meaning of contract terms (including the costs of add-ons and the nature of guarantees) in the sale agreements.

Information needs to be accurate, easy to understand and accessible. But different people have different information needs, reflecting what they are buying, time pressures, their understanding and tolerance of risk and their skills in using information. Increasingly markets reward the more knowledgeable.

Consumers get their information about products from many sources. But the most important is often that supplied by the producer on the product itself, either in the form of a label or warning on the packaging of the product itself, or in instructions supplied with the product. It is essential if consumers are to have confidence in products that such information is comprehensible, accurate and relevant

One of the challenges identified in the ASAPCP 2025 was the information gap linked to inadequate awareness about consumer protection in general and consumer redress mechanisms in particular by several key players on the consumer scene as well as by individual consumers, particularly in the lesser-developed ASEAN countries. This information gap affects the effective enforcement of consumer legislation in ASEAN.

There is this a need to raise awareness/knowledge of individual consumers about their rights under existing consumer legislations by enhancing advocacy work of key stakeholders, such as line ministries and state institutions and also economic operators and consumer associations about consumer rights provide by existing legislations. The relevant agencies and consumer associations should also provide consumers with as much information as possible on their rights and duties and how they can seek redress.

## **Principle 3 – Consumers are Protected from Harmful Goods and Services**

### **Rationale**

Ensuring access to safe goods and services are a collective effort of governments, businesses and even the consumers themselves. Governments can adopt appropriate measures, including laws, safety regulations, national or international to ensure that products are safe for consumption and use. Governments and businesses should apply and actively comply with the national mandatory and voluntary standards in order to ensure the safety of consumers in relation to the use of products. They should be proactive and undertake the necessary action to provide redress and remove harmful products from circulation. Consumers should be made knowledgeable with regards to recognizing hazardous products.

Consumers require a level of quality that equates to at least their perception of fitness for purpose and safety. It is, of course, in the interest of suppliers to meet the requirements of consumers so as to guarantee repeat business. The answer to the definition of that level of fitness for purpose and safety is usually provided by standards and access to product information.

The responsibility of governments is the introduction of systems designed to protect consumers and including the following elements:

- A regulator, in the form of a public body identified to administer technical regulations
- A suite of technical regulations, that normally include both administrative and technical provisions
- A supplier of the product (designer, manufacturer, importer, distributor, retailer) which is responsible for marketing safe products and monitoring their products in the marketplace as well as undertake
- A conformity assessment infrastructure, to enable the regulator to make decisions about compliance or non-compliance, and
- A range of sanctions that can be applied by the regulator in the event of proven noncompliance

Adequate laws should be available to ensure that businesses should also bear the collective responsibility by ensuring businesses:

- Comply with relevant domestic laws;
- Deal fairly and honestly with consumers at all stages of their relationship;
- Avoid practices that harm consumers, particularly with respect to vulnerable and disadvantaged consumers and which subject consumers to illegal, unethical, discriminatory or deceptive practices;
- Provide complete, accurate and not misleading information regarding the goods and services including the terms, conditions and applicable fees and final costs to enable consumers to take informed decisions and ensuring easy access to this information, especially to the key terms and conditions, regardless of the means of technology used.

**Principle 4 – Consumers Have Access to Appropriate and Convenient Sources of Advice and Redress including Alternative Dispute Resolution (ADR)**

**Rationale**

When things go wrong people want to get redress quickly and easily. The best businesses learn from complaints and improve their performance in the process. In doing so, they build people's confidence in the market. Good, clear advice helps many people sort out their problems. However, some disputes will stay unresolved. It is important that consumers and businesses can get simple and quick decisions without large costs to either party.



Government-based Alternative Dispute Resolution (ADR) mechanisms, for example mediation, conciliation, arbitration and ombudsman schemes – often offers consumers advantages over the courts. The process is often informal and cheaper. But there can be drawbacks. Enforcing an agreement or decision can be hard. Arbitration may still be costly. Some ADR schemes are slow in some parts of the world. In addition, many people are not aware of ADR or may have concerns about impartiality.

Nevertheless, whatever the potential challenges, it is essential that consumers have access to information to enable them to make informed choices and ready access to affordable and easy to use dispute resolution arrangements, including online dispute resolution. Here governments can require businesses to undertake more responsibilities in redress.

**Principle 5 – Consumers Understand the Impact of Consumption Decisions on the Shared Environment.**

**Rationale**

Sustainable consumption includes meeting the needs of present and future generations for goods and services in ways that are economically, socially and environmentally sustainable. Responsibility for sustainable consumption is shared by nations, industry, citizens and organizations of society. Informed consumers have an essential role in promoting consumption that is environmentally, economically and socially sustainable, including through the effects of their choices on producers. The AHLP should promote better understanding of such impact including on the development and implementation of policies for sustainable consumption and the integration of those policies with other public policies.

As economies develop, consumer concerns with the everyday things they buy change. Initial pre-occupations concern the simple availability of basic essentials in reasonable quantity to meet needs. Later, price and quality become overriding concerns. But as consumers become more sophisticated, some also become interested in less tangible attributes such as ethical and environmental aspects of a products production and supply. In response to this, manufacturers often voluntarily chose to provide information concerning the environmental aspects of their products on labelling and in advertising.

There is often a problem with the kinds of information communicated to consumers about the environmental impact of products. One of the key challenges for consumers is that very often these aspects about how a product was made, its ingredients and so forth are simply impossible for a consumer to objectively assess. The role of the State therefore in helping consumers understand the environmental impact of their purchasing decisions and protecting consumers from misleading information is critical.

## **Principle 6 – Strong Consumer Advocacy is Promoted**

### **Rationale**

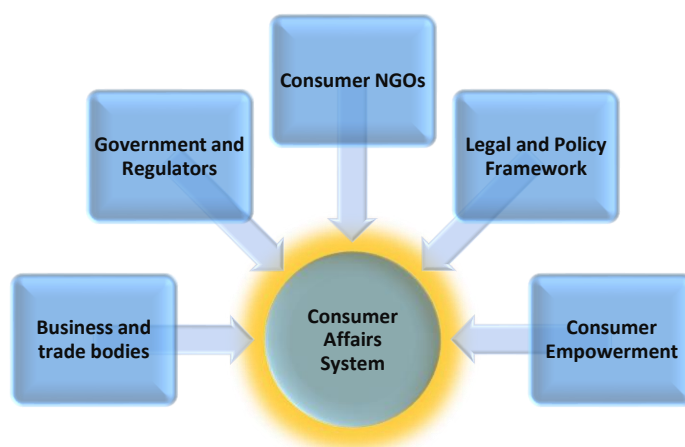
The consumer voice should be heard by governments and consumer representation must be effective. Governments should seek consumer views before decisions are taken on relevant industrial, trade and social policy issues. It should ensure that the development of consumer policies is based on sound evidence and will put additional resources into research and regularly poll consumers directly.

One of the key challenges for government is to establish an overarching consumer protection policy that promotes trust in markets, one in which there is effective enforcement of consumer protection; where sector regulators and consumer agencies work together harmoniously. Consumer policies would provide a policy statement and commitment at the highest level as well as a coherent framework for all relevant ministries and agencies at the central and local levels to work together, including with consumer associations. In this context, the identification of the roles of consumer associations should be encouraged.

## **Principle 7 – High levels of Cooperation between Different Levels of Government and with Business and Other Stakeholders**

### **Rationale**

One of the features of consumer protection systems in many countries in different parts of the world is the number of interests and organisations that need to work collaboratively for the interests of consumers to be properly protected. Indeed, it is important to see ‘consumer protection’ as being a system with a number of component parts



The elements of this system identified in the diagram above are:

- **Consumer empowerment** – knowledgeable consumers who are able to look after their own interests as far as is possible
- **Legal and policy framework** – the existence of a legal system designed to protect the interests of consumers
- **Consumer NGOs** – able to represent the interests of consumers to decision makers in Government and elsewhere
- **Government and regulators** – the bodies whose role it is to ensure that laws are complied with
- **Business and trade bodies** – Businesses and their representatives voluntarily promoting higher standards of trade.

The point is that it is the system as a whole that needs to be effective. If any part of this system is weak – the system of consumer affairs and consumer protection will be weak. The system is at its most effective when there is a consumer affairs policy and strategy as well as planning at a Member State level. This is important as frequently aspects of consumer protection are shared between different Ministries and Government departments.

This can then feed down to planning at the individual organisation level with each part of the system understanding its role and what it can contribute overall. This avoids duplication of activity. Within each Member State, there needs to be a means to manage and lead the consumer affairs system as a whole. This is therefore a more comprehensive activity than simply managing and leading the individual organisations that go to make up the system.

Only with a more ‘joined-up’ approach within the governments, is it possible to interact in a meaningful way with non-Governmental bodies and the business community and with counterparts across the ASEAN region.

Cooperation among ASEAN Member States and work towards convergence and the interoperability of the different consumer protection regimes in ASEAN require strategic and gradual planning based on the readiness of individual country. Cooperation should make use of capacity building as a parallel track that should cut across all the AHLPS.

The main objective of this cooperation should be to encourage practical measures to prevent dishonest cross-border marketing practices and to protect consumer’s interests. AMS should maintain regular contacts, notably via an annual conference and cooperates in preventing dishonest commercial practices.

### **Principle 8 – Consumers in E-commerce are Protected**

The rise in e-commerce transactions within the ASEAN Community has revealed that many of the existing AMS legislation may need to be reviewed to adequately deal with the sudden surge in consumer to business relationships through e-commerce, especially since e-commerce can also be dealt with through various other laws such as finance, competition and telecommunications legislation.

International best practices in the context of electronic commerce provides for general principles<sup>4</sup> relating to transparent and effective protection, fair business, advertising and marketing practices, online disclosures, confirmation process, payments, dispute resolution and redress, privacy and security and education, awareness and digital competence.

ASEAN will greatly benefit from adopting principles encouraging AMS to ensure that businesses are made to act fairly with regards to the contract terms of their services and to not disseminate deceiving publications to consumers. The security of consumer information is equally of great importance in a world of cyber transactions.

These principles would entail the following:

- Conduct reviews on their existing consumer protection laws and practices to determine the form of amendments or additional subsidiary legislation required to provide effective protection to consumers on electronic commerce.
- Identify a long-term approach to updating national e-commerce and telecommunications laws in order to provide consumers with adequate methods of conducting online transactions at minimal risks.
- Address any potential technical/legal barriers that may deter consumers from shopping through e-commerce and from other AMS' new products and services. These might include concerns about information on products quality, delivery terms, misleading advertising, payment, data privacy, compensation and dispute resolution.
- Ensure case handlers are properly trained in the field of e-commerce in order to enforce e-commerce regulation measures and relevant laws;
- Organise specialized dispute resolution mechanism, including those that can handle cross-border transactions and provide the consumer with a fair outcome.

## 5. GUIDANCE TO HIGH-LEVEL PRINCIPLES – ACTIONS AND IMPLEMENTATION

Principle 1	Indicators
<p><b>Enforcement of consumer protection laws are fair, consistent, effective and proportionate</b></p>	<ul style="list-style-type: none"> <li>✓ Comprehensive and modern consumer protection legislation drafted in accordance with international best practices and covers important areas such as product liability/ safety, unfair contract terms, data privacy and e-commerce</li> <li>✓ Consumer legislation is drafted taking into account ASEAN principles and best practices in a flexible way to ensure it is capable of addressing both current and emerging consumer problems</li> <li>✓ Enforcement and monitoring of consumer protection legislation, which uses risk-based methodologies to identify priorities in work planning with:</li> </ul>

<sup>4</sup> See the revised OECD guidelines on consumer protection in the context of electronic commerce, OECD, Paris 2015.

	<ul style="list-style-type: none"> <li>• Regular reviews of laws to ensure up-to-date and relevant laws;</li> <li>• Strategic national plans, which includes capacity building for specialist team for internet enforcement of consumer law</li> <li>• An inter-agency coordination committee/mechanism of consumer protection agencies to optimize enforcement mechanisms</li> <li>• Database of enforcement cases to identify legislative gaps, monitor trends in non-compliance of laws and identify weaknesses in enforcement and redress issues</li> </ul> <p>✓ High quality institutional and enforcement infrastructure</p> <ul style="list-style-type: none"> <li>• Competent public authorities at national and/or local level with specific responsibility and adequate penalties to enforce laws that protect consumers' interests</li> <li>• Best practice enforcement model based on risk assessment methodologies including factors such as value for money, quality and safety</li> <li>• National network of enforcement partners, including local authorities and regulators</li> <li>• Adequate budgetary and other resources including available tools and technical capacity to apply consumer protection legislation</li> </ul>
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<b>Principle 2</b>	<b>Indicators</b>
<b>Consumers are equipped with the skills, knowledge, information and confidence to exercise their rights</b>	<ul style="list-style-type: none"> <li>✓ Identification of consumer skills deficit with regular mapping across different stakeholders – officials, business, consumers</li> <li>✓ Strategy for consumer education is available with formal and non-formal consumer education programmes for all stakeholders, including teacher training tools</li> <li>✓ Consumer education programmes are tailored to meet the needs of urban/rural consumers and vulnerable consumers</li> <li>✓ The role of the media as communicators of consumer education is given emphasis</li> <li>✓ Information is available on consumer protection in different formats (e.g. on-line, handbook etc.) and these information tools for consumers support consumers through: <ul style="list-style-type: none"> <li>• Raising awareness/knowledge by individual consumers about their rights under existing consumer legislation and consumer guidance;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Ensuring that enforcement agencies or NGOs provide consumers with as much information as possible on their rights and duties and how they can seek redress.</li> <li>• Providing information on available legal advice, (including on ‘unfair contract terms’), redress and other dispute-resolving procedures to consumers and their representatives.</li> </ul> <p>✓ On-line interactive and distance learning tools for consumers are made available</p>
<b>Principle 3</b>	<b>Indicators</b>
<p><b>Consumers are protected from harmful goods and services</b></p>	<p>✓ Core regulatory framework, including appropriate measures, safety regulations and standards (domestic, international, voluntary) to ensure that products are safe for their intended or normally foreseeable use including consumption.</p> <p>✓ Facilities to test and certify the safety, quality and performance of essential consumer goods and services</p> <p>✓ Domestic safety standards are in conformity with those applied internationally</p> <p>✓ Regular collection and assessment of data on product related injuries at the national and ASEAN level</p> <p>✓ National product alert system with linkage to the ASEAN alert system</p> <p>✓ Participation in standard setting work by all relevant stakeholders including consumers associations</p> <p>✓ Active promotion of high standards amongst the business community to ensure sale of safe products and services</p> <p>✓ Clear responsibilities for business laid out with advocacy and outreach activities for businesses</p>
<b>Principle 4</b>	<b>Indicators</b>
<p><b>Consumers have access to appropriate and convenient sources of advice and redress including alternative dispute resolution (ADR)</b></p>	<p>✓ Alternative dispute resolution mechanism for resolving consumer complaints:</p> <ul style="list-style-type: none"> <li>• Mechanism for resolving consumer complaints through consumer groups;</li> <li>• National small claims court/ADR system; and/or</li> <li>• National ODR system</li> </ul> <p>✓ National complaints centre established by consumer NGOs</p> <p>✓ Mechanism for cross-border redress for aggrieved consumers including online dispute resolution such as ASEAN ODR Network/ASEAN mechanism for cross-border complaints and investigation</p>

	<ul style="list-style-type: none"> <li>✓ Mechanism for in-house complaints and redress systems by bigger businesses available</li> <li>✓ Active promotion of high standards among the business community to avoid the need for dispute resolution: <ul style="list-style-type: none"> <li>• Businesses cooperate with enforcement agencies to resolve complaints</li> <li>• Businesses deal fairly and honestly with consumers at all stages of their relationship</li> <li>• Absence of business practices that cause consumer detriment in particular to vulnerable or disadvantaged groups</li> <li>• On-line code of good conduct for business</li> </ul> </li> <li>✓ Adequate administrative penalties to act as deterrent</li> </ul>
<b>Principle 5</b>	<b>Indicators</b>
<p><b>Consumers understand the impact of consumption decisions on the shared environment</b></p>	<ul style="list-style-type: none"> <li>✓ Sustainable consumption principles are well understood by consumers <ul style="list-style-type: none"> <li>• Guidelines on sustainable consumption with regards to meeting the needs of present and future generations of consumers for goods and services in ways that are economically, socially and environmentally sustainable.</li> <li>• Policy focus on the development and use of products and services that are safe and energy and resource efficient and on meeting consumer needs while reducing pollution and depletion of natural resources.</li> <li>• Business awareness of the responsibility for promoting sustainable consumption through the design, production and distribution of goods and services.</li> <li>• Consumer and environmental organizations awareness of the responsibility for promoting public participation and debate on sustainable consumption, for informing consumers, and for working with government and business towards sustainable consumption.</li> </ul> </li> <li>✓ Sustainable consumption promoted through policy dialogues and information toolkits <ul style="list-style-type: none"> <li>• Tool kits, information and other education materials and strategies that promote sustainable consumption through a mix of policies that could include regulations</li> <li>• Research programme or studies on sustainable consumption</li> </ul> </li> </ul>
<b>Principle 6</b>	<b>Indicators</b>
<p><b>Strong consumer advocacy is promoted</b></p>	<ul style="list-style-type: none"> <li>✓ Consumer forums and associations advocate to highlight issues and concerns</li> </ul>

	<ul style="list-style-type: none"> <li>✓ Regular dialogues, forums and hearings on how to address consumer concerns at the national and ASEAN level</li> <li>✓ National consumer protection associations respond to consumer concerns</li> <li>✓ Consultations held with consumer associations on policy and operational issues</li> </ul>
<b>Principle 7</b>	<b>Indicators</b>
<p><b>High levels of cooperation between different levels of and with the business community and other stakeholders</b></p>	<ul style="list-style-type: none"> <li>✓ Practical cross-border cooperation mechanism improving cooperation and coordination between consumer bodies</li> <li>✓ Joint collaboration between bodies responsible for consumer protection, competition and related areas</li> <li>✓ Regional codes of conduct, particularly for telecommunications and financial services</li> <li>✓ Generic handbook on code of ethics for ethical business conduct</li> <li>✓ Inclusion of AHL P Principles</li> </ul>
<b>Principle 8</b>	<b>Indicators</b>
<p><b>Consumers in E-commerce are Protected</b></p>	<ul style="list-style-type: none"> <li>✓ New sources of physical and economic risks to consumers kept under review</li> <li>✓ Regular reviews of existing consumer protection laws and practices to determine amendments or additional subsidiary legislation needed to be implemented to provide effective protection to consumers on electronic commerce.</li> <li>✓ Consumers possess the knowledge, skills and confidence to appropriately understand risks and make informed choices personal data and privacy.</li> <li>✓ Consumers able to obtain legal assistance and take appropriate action to protect personal data and privacy.</li> <li>✓ Consumers informed about potential security and privacy challenges they may face in e-commerce and m-commerce services and the measures available, which can be used to limit the risks.</li> <li>✓ Regional cooperation with other AMS who have already adopted international practices in dealing with e-commerce issues including redress.</li> <li>✓ Long-term approach to updating national e-commerce and telecommunications laws in order to provide consumers with adequate methods of conducting online transactions at minimal risks.</li> <li>✓ Potential technical/legal barriers that may deter consumers from shopping through E-commerce locally and from other ASEAN countries new products and services are kept under review such as information on products quality, delivery terms,</li> </ul>



	<p>misleading advertising, payment, data privacy, compensation and dispute resolution.</p> <ul style="list-style-type: none"><li>✓ Availability of training for case-handlers in the field of e-commerce in order to enforce e-commerce regulation measures and relevant laws;</li><li>✓ Specialized dispute resolution mechanism, including on-line mechanisms that can handle cross-border transactions and provide the consumer with a fair outcome including participation in the ASEAN on-line dispute resolution.</li></ul>
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