



**ACPF 2024**

المنتدى العربي  
لحماية المستهلك

Arab Consumer  
Protection Forum

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Shared Prosperity Dignified Life



**Session 4:**

# Consumer protection in e-commerce & the digital market.

Robin Simpson UNCTAD consultant.

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## The need for identity

Identity increasingly becoming basis for entitlement to services, public & private.  
SDG 16 ... *'access to justice for all...accountable and inclusive institutions'*.  
target 16.9: *'By 2030 provide legal identity for all including birth registration'*

2

## The need for registration

SDG report 2020: 1 in 4 children lack legal identity through birth registration.  
2021: Only 62% of countries had death registration that was 75% complete.

3

## The need for connectivity & policy coherence

ITU 2021: of 3.7billion unconnected 85% are reachable by mobile broadband.  
World Bank & ITU/UNESCO concern about future of G2 networks.  
2022: 19% of MENA subscribers on G2. (30% G3) 96 2G networks to close. (107 3G)  
SDG target 9c): *'strive to provide universal & affordable access to the internet'*  
World Bank: **Coverage gap**, (roll-out) **usage gap** (take up) & **consumption gap** (affordability of functions).

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## principle of technological neutrality

UNCTAD 2023: *‘Entitlement to access to public service should not depend on a single medium of application such as digital registration. The human right to health, including health care, should always remain in place and not be overridden by technical obstacles’*. See UNGCP: para 5 ‘legitimate needs’ :  
j) equivalent protection & k) *‘protection of consumer privacy’*

2

## digital drift to ‘dematerialization’

Reports of digital registration becoming *de facto* obligation. Ex: UK: ‘digital by default’ > ‘digital only’ in social security. Similar reports from India and Africa.  
French Défenseur des droits: 2022 *‘do not trap the user in an exclusively digital relationship; Do not hold users liable for errors or malfunctions of public sites’*.

3

## commercial & public services converging

French Défenseur: *‘systemic passing onto the user of tasks and costs that had previously been the responsibility of the administration’*

## There are digital successes (but nobody is perfect)

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### India:

Aadhar: 900 million registrations in 10 years, now virtually complete. Use of biometric identifiers. Faced with access problems, Indian supreme court ruled that should not be mandatory for access to public services.

2

### The 'African miracle' illustrated adaptability at scale

Togo used mobile phone numbers as identifiers for support during COVID. 19. 5 million informal workers received emergency income support.

M-Pesa started in Kenya in 2007. 17 million users by 2011. Almost half of economy by 2014. It served areas that banks did not. Based on simple texting systems. Not just for payments to households but also for consumers paying their bills for utilities.

3

### NAWA region

Extension of social protection (including health services) to informal sectors, migrant workers, refugees and displaced persons during COVID 19. New & existing online platforms for registration. Easing proof requirements that require physical presence. E-wallets and bank transfers. But backed up by in person services too, eg help in kind.

## Benefits & risks in digital identification

### ***Possible benefits***

- Professional - consumer contact;
- Resilience during disruption;
- rapid roll out; eg India
- extension to minorities (eg migrants);
- does not depend on literacy;
- accurate recording of payments;

### ***Possible risks:***

- depersonalisation;
- confidentiality breaches at scale; systemic disruption;
- casual approach to privacy?
- identity a factor of exclusion?
- loss of electronic signature
- mission creep?

## **Further challenges: Artificial intelligence, privacy, ‘Internet of Things’.**

Digital systems are designed by fallible human beings. They depend on data being correct and coherent logic chains. Many Apps contain glitches. The ethical & legal issues around consumer rights remain the same, while the technical context changes.

GSMA 2023: 46% of global benefits of 5G will be in services including public services. Only 2% ‘retail’.

Highest penetration of 5G in the world projected to be the GCC states 95%.

## **Consumers should not have to be digital experts to have access to their rights.**

NAWA governments adopting a mixed approach, based on digital and other more traditional routes to social assistance.

Service providers should anticipate some consumers’ lack of technical competence and consumers should be able to get help to register. Initial registration process is vital. Opportunity for NAWA region as social insurance starting from low coverage base.



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**Thank you!**