

**第62次消費者政策委員會
會議記錄摘要草稿**

文件編號：DSTI/CP/M(2002)1

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**DRAFT SUMMARY RECORD OF THE 62ND SESSION
OF THE COMMITTEE ON CONSUMER POLICY**

DSTI/CP/M(2002)1

04-Apr-2002

第一項 機構的選舉

1. Mr. M. Thompson (美國籍) 獲選為消費者政策委員會主席。
2. Mr. M. Jenkin (加拿大籍), Ms. B. Le Tavernier (法國籍), Mr. K. Nagamatsu (日本籍), Mr. M. Bond (英國籍) 再度獲選為副主席; Ms. A. Peltonen (芬蘭籍), 以及 Mr. H. W. Kang (韓國籍) 新獲選為副主席。
3. 由主席代表委員會, 致贈紀念品給 Ms. J. Olegard (丹麥籍), 表彰他自1996至2002年擔任主席時對於本委員會的貢獻。 Mr. Thompson 朗讀了委員會的決議, 以表示本會對於其於委員會工作期間貢獻之敬意 (參見本文件後之附件一)。本會通過本項決議, 同時 Ms. J. Olegard 也表達其對於本會的感謝與祝福。

第二項 通過所擬定之議程

4. 委員會通過了本次會議議程規劃。

第三項 核定第61次消費者政策委員會會議記錄摘要

5. 委員會核定第61次消費者政策委員會會議記錄摘

ITEM 1: ELECTION OF THE BUREAU

1. Mr. M. Thompson (United States) was elected Chair of the Committee on Consumer Policy.
2. Mr. M. Jenkin (Canada), Ms. B. LeTavernier (France), Mr. K. Nagamatsu (Japan) and Mr. M. Bond (United Kingdom) were re-elected as Vice-Chairs; and Ms. A. Peltonen (Finland) and Mr. H. W. Kang (Korea) were newly elected to the Bureau as Vice-Chairs.
3. On behalf of the committee, the Chair paid tribute to Ms. J. Olegard (Denmark) for her exemplary contribution to the work of the committee as Chair from 1996 to 2001. Mr. Thompson read a resolution expressing the committee's gratitude for Ms. Olegard's contribution to the work of the committee (see Annex I to the present record). The Committee adopted the Resolution and Ms. Olegard expressed her thanks and best wishes to the Committee.

ITEM 2. ADOPTION OF THE AGENDA

4. The Committee **adopted** the Draft Agenda.

ITEM 3: APPROVAL OF THE SUMMARY RECORD OF THE 61ST SESSION OF CCP

5. The Committee **approved** the Summary Record of its 61st

要。

第四項 秘書長的聲明

6. 關於秘書處的聲明參見本文件後之附件二。

第五項 2003-2004年之工作項目

7. 以下由秘書處報告，委員會：

- i) 討論秘書處在DSTI/CP(2002)1當中所列出對於2003-2004年的工作規劃。
- ii) 註明會員國初步對於擬辦活動所表達的優先順序。
- iii) 請各國使節團在2002年4月26日前繳交對於擬辦活動最終的優先順序。
- iv) 載明將依據大會以及其他自願捐助者所提供的資源來確定最後的活動內容；同時，對於辦理各項活動所可以擁有的資源，也應納入委員會決定各項活動優先順序的考量當中。

session.

ITEM 4: STATEMENT BY THE SECRETARIAT

6. The statement by the Director for Science, Technology and Industry can be found in Annex II to the present record.

ITEM 5: WORK PROGRAMME FOR 2003-2004

7. Following presentations by the Secretariat (Deputy Director, Mr. Dryden, and Mr. Donohue), the Committee:

- i) **Discussed** the Secretariat's initial proposals for the Committee's 2003-2004 Programme of Work outlined in document DSTI/CP (2002) 1.
- ii) **Noted** the preliminary priorities given by a number of Member countries to the proposed activities (compiled as a room document), which accorded nearly equal priority to work under Activities 1-4, and slightly lessor priority to work under Activity 5.
- iii) **Invited** Delegations to submit their final priorities for the proposed activities **by 26 April 2002**.
- iv) **Noted** that the final programme would depend on the level of available resources as decided by the Council as well as on additional resources to be provided by voluntary contributions, and **considered** that the resources allocated to the various activities should take into account the priorities of the Committee.

第六項 評估指導綱領的衝擊

a) 第二次報告：「會員國實施電子商務消費者保護指導綱領」（修正版）

8. 以下由委員會秘書處（Mr. Kaneko）之介紹，本委員會：

- i) 載明並表達委員會對於「會員國實施電子商務消費者保護指導綱領」各項後續工作的支持。
- ii) 敦請各國使節於2002年月1日前，向秘書處繳交關於各國實施與執行情形的最新資料。
- iii) 同意各會員國關於各項工作執行情形的最新資料與評論，將可納入第二次報告中。
- iv) 同意由「追蹤指導綱領工作小組」為OECD大會所草擬的各項正式報告得以此第二次報告為基礎；工作小組致大會之報告應在下次會期（10月）送交本委員會討論核定。

b) 關於教育性初步階段情形的最新資料

9. 以下由秘書處（Mr. Donohue）介紹，本委員會載

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)

8. Following an introduction by the Secretariat (Mr. Kaneko), the Committee:

- i) **Noted and expressed its support** for the continued work on the Second Report on the Member Country Implementation of the Guidelines for Consumer Protection in the Context of Electronic Commerce (“CP Guidelines”) presented in DSTI/CP (2002) 3.
- ii) **Invited** Delegations to submit updates with regard to their respective implementation activities to the Secretariat **by 1 May 2002**.
- iii) **Agreed** that Member country updates and comments would be integrated into the Second Report.
- iv) **Agreed** that the Second Report would form the basis for a more concise report to the OECD council, to be drafted by the Working Group on Guidelines Follow-up. The Working Group draft of the Report to Council would be presented to the Committee at its next (October) session for discussion and approval.

b) Update on educational initiatives

9. Following an introduction by the Secretariat (Mr. Donohue),

明由美國所做的示範。該項示範係美國為了傳播電子商務消費者指導綱領的最佳範例所採用的創新工具（其為一連串用以教育使用者有關該指導綱領的網站，並藉由CD-ROM的方式加以傳播）。本委員會討論並且表達對於美國提議之支持，同時載明建議將該產品推廣與消費者以及商業組織，或使消費者或商業組織可由網站取得該項產品。

10. 本委員會同時記錄由大韓民國在“National-wide Internet Sweep Days in 2001”文件中所提供之訊息。該項文件已被標明為「小組文件」（room document）。

第七項 B2C交易行為統計資訊

11. 本委員會：

- i) 記錄由秘書處經濟分析與統計部（Ms. Colechia），針對消費者網路交易活動所做的報告。這份報告是OECD致力於發展國際比較性指標的第一份成果。Ms. Colechia的這份報告，焦點集中在OECD對於評量採用網路交易意願，以及網路交易的規模和性質的努力（B2C，國內與國際的比較），以及推動與排斥網路交易者的比較。Ms. Colechia的這份報告已被標明為「小

the Committee **note** a demonstration by the United States of an innovative tool for distributing the best practice examples under the CP Guidelines (a series of mock Web sites designed to educate users about the CP Guidelines that could be distributed through a CD-ROM). The Committee **discussed** and **expressed its support** for this proposal and **noted** the suggestions to disseminate the product to consumer and business organisations, as well as making it available via the Web.

10. The Committee also **noted** information provided by Korea on its Natin-wide Internet Sweep Days in 2001, which was tabled as a room document.

ITEM7: STATISTICAL INFORMATION ON B2C TRANSACTIONS

11. The Committee:

- i) **Noted with interest** a presentation by the Economic Analysis and Statistics Division of the Secretariat (Ms. Colecchia), on consumer Internet transactions, which were the first results of OECD efforts to develop internationally comparable indicators. Ms. Colecchia's presentation focused on the OECD's efforts to measure overall propensity to carry out Internet transactions, the relative size and nature of Internet transactions (B2C, domestic vs.

組文件」，同時可自OECD的網站上取得：
<http://www.oecd.org/pdf/m00027000/M00027669.pdf>。更多有關統計資料的訊息可於OLIS，
DSTI/CP/RD（2002）4摘要報告中取得。

- ii) 記錄WPIIS目前正在準備針對[DSTI/ICCP/IIS（2002）1]文件中為人熟知的，有關使用ICT的標準問卷；同時CCP的代表也應邀在2002年4月19日前，針對該項問卷，向秘書處提出建議。

第八項 對於核心消費者保護工作的輿論建設

- a) 定義「欺騙」(deceptive) 與「誤導」(misleading) 行為的一般研究途徑：更新「國際市場行銷監督網路工作」

12. 委員會將記錄IMSN總裁Mr. G. Sutter對於訊息更新所做的口頭報告。訊息的重點包括IMSN的活動以及針對最佳市場行銷模式的專案研究。Mr. Sutter表示，在2001年11月時，IMSN已經提供其會員一份問卷，是有關公平貿易與市場行銷的法律、方法、有關執行的議題以及理想的立法模式。IMSN收到了21份回答，而且Mr. Sutter也從

international) and the perceived drivers and inhibitors. Ms. Colechia's presentation was also tabled as a Room Document and is available on the OECD Web site at: <http://www.oecd.org/pdf/M00027000/M00027669.pdf>. Additional information about the statistics is available on OLIS in a summary report posted as DSTI/CP/RD (2002) 4.

- ii) **Noted** that the Working Party on Indicators for the Information Society (WPIIS) is currently working on a model questionnaire on ICT use in households [DSTI/ICCP/IIS (2002) 1] and that CCP delegates are **invited** to provide comments on the questionnaire to the Secretariat **by 19 April 2002**.

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)**

12. The Committee **noted** an oral update by Mr. G Sutter, President of the International Marketing Supervision Network (IMSN), on the IMSN's activities and particularly its current project regarding best practices. Mr. Sutter explained that the IMSN had issued a questionnaire to its members in November 2001 regarding laws and practices related to fair trading and marketing, enforcement issues, and ideal

這調查結果中得到了初步的發現。委員會簡略的討論了IMSN在這一方面所做的努力，並將記錄與IMSN繼續對此議題相互合作的需要，同時感謝Mr. Sutter的專題報告。

b) OECD「電子商務消費者保護指導綱領」最佳範例

13.以下由秘書處（Mr. Donohue）的介紹，委員會：

- i) 對於DSTI/CP（2002）文件中所發展的「OECD「電子商務消費者保護指導綱領」最佳範例」，將予以記錄並表示支持。
- ii) 同意將該文解密的書面程序，亦即，對於目前版本的評論必須在2002年4月12日前送至秘書處；修訂之後的版本，在四月底前，將在OLIS流通。一旦修訂版在OLIS上公告，CCP有三個星期的時間做出評論。屆時如果沒有反對的意見，則該份文件將予以解密。
- iii) 記錄會員國的建議；一旦文件解密之後，可至與消費者有關的網站取得；BIAC也將針對該項訊息製作文件供其會員國參考，同時委員會也會採用其他流通訊息的選擇，例如美國所提議

legislation. The IMSN received 21 responses and Mr. Sutter touched on some preliminary findings from the results. The Committee briefly **discussed** the IMSN efforts on this issue, **noted** the need for continued co-ordination with the IMSN on this topic, and **thanked** Mr. Sutter for his presentation.

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

13. Following an introduction by the Secretariat (Mr. Donohue), the committee:

- i) **Noted and expressed support** for the “Best Practice Examples under the OECD *Guidelines for Consumer Protection in the Context of Electronic Commerce*” developed in DSTI/CP (2002) 2.
- ii) **Agreed to the written procedure** for the declassification of the text viz. that comments on the current version should be sent to the Secretariat **by 12 April 2002**, and that a revised version of the text would be circulated on OLIS before the end of April. Once the revised text had been issued on OLIS, there would be a deadline of three weeks for comments by the CCP. In the absence of objections by that deadline, the text would be considered declassified.
- iii) **Noted** Member country suggestions that the instrument, once declassified, should be made available on consumer authority Web sites, that BIAC would issue the instrument to its members for information, and that the Committee

的製作CD-ROM。

第九項 關於跨國界執行合作的政策議題 跨國界賠償議題論壇

14. 跨國界賠償議題論壇將持續委員會對於跨國界市場關於消費者保護法律執行工作的檢驗。關於論壇的詳盡議程，在本次會議中，已被當成小組文件，在本次會議中展示。「跨國界賠償工作小組」主席，美國代表Mr. H. Stevenson說明並報告進來跨國界爭議的發展趨勢資料[DSTI/CP/RD (2002)3]。秘書處（Mr. Donohue）接著簡介DSTI/CP（2001）文件當中所確認的挑戰。在這之後，IMSN的總裁Mr. Guido Sutter接著針對該單位所確認的爭議作專題報告。最後由美國代表（Ms. . Mithal）條列出由工作小組對各國執行機關所做的調查得到的初步結果。

15. 論壇的第二部分，著重在案例研究，並由澳洲代表主持。澳洲、加拿大、日本、紐西蘭、英國以及美國等國，將重點擺在i) 跨國界案件的國際研

will pursue further distribution options, including the CD-ROM proposal of the United States.

ITEM 9: POLICY ISSUES FOR CROSS-BORDER ENFORCEMENT CO-OPERATION Forum Session on Cross - Border Remedies

14. The Forum Session on Cross-Border Remedies continued the Committee's examination of the challenges of consumer protection law enforcement in a cross-border marketplace. An elaborated agenda for the session was tabled at the meeting as a Room Document. As Chair of the Working Group on Cross-Border Remedies, US delegate Mr. H. Stevenson introduced the issues to be addressed and presented recent data on cross-border complaint trends[DSTI/CP/RD (2002) 3]. The Secretariat (Mr. Donohue) then provided an overview of the challenges identified in DSTI/CP (2001) 7, followed by a presentation by Mr. Guido Sutter, President of the IMSN, on the issues indentified by that organisation. The introductory session was concluded with a presentation by the United States (Ms. M. Mithal) outlining the preliminary results from a survey on enforcement authority conducted by the Working Group.

15. Part II of the Forum Session focussed on case studies and was moderated by Australia (Mr. C. Buik). Interventions from Australia, Canada, Japan, New Zealand, United Kingdom,

究；ii) 各項行為以及金錢賠償的效力；iii) 有關資訊共享的挑戰。

16. 第三部分著重在其他領域跨國界執行的挑戰研究上。秘書處列出了幾項由競爭法角度來觀察所得出的挑戰以及努力的成果；包括了兩項OECD大會建議書，用以促進國際執行的合作。歐洲議會經濟犯罪部副部長，Mr. P. Csonka說明了最近完成的「網路犯罪公約」。對於網路犯罪此一領域的跨國界執行合作而言，這一項公約，包含了某些特定的條文，是一份比較正式的利器。

17. 第四部分著重於面對現有挑戰的努力。IMSN的一項“ecomsumer .gov”專案，提供了消費者針對與跨國界電子商務交易糾紛申訴的機會，同時與負責法律執行的主管機關共享該項資訊。芬蘭代表團提供了「斯堪地那維亞消費者調查協定」的最新資訊。加拿大代表團則說明了加拿大競爭局（Canada's Competition Bureau）近來在面對跨國界爭議時，對於其權限的一種立法傾向。歐盟代表則說明了關於此議題，歐洲最新的兩種趨勢。

and the United States highlighted the (i) global reach of cross-border cases; (ii) issues about the effectiveness of conduct and monetary remedies, and (iii) the challenge of information sharing.

16. Part III focused on approaches to cross-border enforcement challenges in other areas. The Secretariat (Mr. J. Clark from the Competition Division of the Directorate for Financial, Fiscal and Enterprise Affairs) outlined efforts to address these challenges from the perspective of enforcement of competition laws, including two OECD Council Recommendations that have been developed to facilitate co-operative enforcement efforts. Mr. P. Csonka, Deputy Head of Division for Economic Crime at the Council of Europe, described the recently completed CyberCrime Convention, a more formal instrument that contains a number of provisions designed to enhance cross-border enforcement co-operation in the area of cybercrime.

17. Part IV featured presentations on current efforts to address the challenges, beginning with a presentation [DSTI/CP/RD (2002)2] on the IMSN's econsumer.gov project (Ms. M. Mithal) which offers consumers an opportunity to file complaints regarding cross-border ecommerce transactions which can then be shared with enforcement officials. The Finnish delegation (Ms. A. Peltonen) provided an update on a new Nordic Consumer Ombudsman's Agreement. Canada (Ms. S. MacPhee) described a recent legislative initiative

第一種是採用禁止指令的形式；第二種則是「消費者保護綠皮書」。最後，「海牙國際私法會議常設局」首席秘書Ms. A. Schultz提供海牙國際法院對此議題有所幫助的相關訊息。

- 18.本委員會記錄這些報告，並參與此論壇。同時承認，雖然目前已經針對跨國界爭議的挑戰做出許多努力，但是如何確保現有機制能夠適當的促使各國政府妥當的解決有關執行消費者保護的法律，進而在全球市場機制中，建立消費者的信心，仍有許多工作要做。

第十項 跨國界消費者交易爭端解決

- a) 替代的爭端解決機制（ADR）

designed to address limitations faced by Canada's Competition Bureau in addressing cross-border issues. The European Commission (Mr. N. Fahy) described two initiatives to address these issues at the European level, the first being the Injunctions Directive and the second the more recent Green Paper on Consumer Protection. Finally, Ms. A. Schultz, First Secretary at the Permanent Bureau of the Hague Conference on Private International Law, provided information about the degree to which the Hague judgments project could help address these issues.

- 18.The committee **noted** the presentations, and actively **participated** in the Forum Session, **recognising** that, although there have been many innovative efforts to address the cross-border challenges, there remains much work to be done to ensure that current mechanisms are adequate to enable government to cope with the difficulties of effectively enforcing consumer protection laws--and thereby build consumer trust--in the global marketplace. The Committee **agreed** that the Working Group on Cross-border Remedies should circulate concrete proposals for next steps to the Secretariat for dissemination to the Committee.

ITEM 10:DISPUTE RESOLUTION FOR CROSS-BORDER CONSUMER TRANSACTIONS

- a)Alternative Dispute Resolution (Joint Work with the Working

i) ICC-OECD工作細目進度報告

19. 委員會記錄由國際商務協會（ICC）資深政策經理Ms. A. Hassan，針對ICC-OECD問卷，以及工作細目等最新訊息所做的口頭報告。委員會記錄國際商務協會已經傳播關於ADR機制的問卷。參見文件DSTI/ICCP/REG/CP/RD（2001）1）。該份問卷是由ICC以及OECD共同製作，並於2002年1月，公布在國際商務協會的網站上。委員會瞭解回答該份問卷的期限是到2002年3月。在此之後，將針對該問卷調查的結果加以研究分析，並於適當時公布。委員會更進一步瞭解到確保特定提供者的資訊不能使消費者誤以為其正確性已經委員會確認。

ii) 法制組合

20. 以下為秘書處Ms. Carblanc的介紹，委員會：

i) 瞭解從「各會員國針對有關消費者保護與隱私在B2C的替代爭端解決機制中相關法律條文的問卷草案」所產生的爭點。同時將把會員國所回復的意見納入修正中。

Party on Information Security and Privacy)

i) *Progress Report on ICC-OECD inventory*

19. The Committee **noted** an oral update by Ms. A. Hassan, Senior Policy Manager, International Chamber of Commerce (ICC) on the ICC-OECD questionnaire and inventory work. In particular, the Committee noted that the ICC had circulated a “Questionnaire on ADR Mechanisms” [see DSTI/ICP/REG/CP/RD (2002) 1] jointly elaborated by the ICC and the OECD via the ICC network in January 2002. The Committee **noted** that the answers to the questionnaire were due at the end of March 2002, after which the results would be compiled and analysed, with the intention of making the results available to the public as appropriate. It **further noted** the importance of ensuring that information on particular providers should not be provided to consumers in a manner suggesting that its accuracy had been verified by the Committee.

ii) *Legal Synthesis*

20. Following an introduction by the Secretariat (Ms. Carblanc), the Committee:

i) **Noted** the main point arising from the “Draft Synthesis of Member Country Response to the Questionnaire on Legal Provisions related to Business-to-Consumer Alternative Dispute Resolution (ADR) in relation to privacy and Consumer Protection” [DSTI/ICCP/REG/CP (2002) 1] and

- ii) 同意對該機制文件解密的書面程序。對於現有版本的意見，各會員國應在2002年4月26日前擲回秘書處，而修正本將在五月底以前在OLIS上流通。一旦修正版公布之後，有三個星期的時間，供CCP，WPISP，Committee for Information，以及Computer and Communications Policy四個單位提出意見。三週之後，如果沒有異議的話，該項文件確定得以解密。

iii) 宣導器材

21. 以下為秘書處Mr. Donohue的介紹，委員會：

- i) 瞭解，並支持文件DSTI/ICCP/REG/CP (2002) 2，有關ADR宣導文件「線上解決機制：瞭解ADR問題之所在」。
- ii) 同意對該宣導用文件的書面解密程序。對於現有版本的意見，各會員國應在2002年4月26日前擲回秘書處，而修正本將在五月底以前在OLIS上流通。一旦修正版公布之後，有三個星期的時間，供CCP，WPISP，以及ICCP三個單位提出意見。三週之後，如果沒有異議的話，

that the comments received from Member countries were being incorporated into a revised synthesis.

- ii) **Agreed to the written procedure** for the declassification of the synthesis viz. that comments on the current version should be sent to the Secretariat **by 26 April 2002**, and that a revised version of the text would be circulated on OLIS before the end of May. Once the revised text had been issued on OLIS, there would be a deadline of three weeks for comments by the CCP, WPISP and the WPISP's parent body, the Committee for Information, Computer and Communications Policy (ICCP). In the absence of objections during this three-week period, the text would be considered declassified.

iii) *Educational Instrument*

21. Following an introduction by the Secretariat (Mr. Donohue), the Committee:

- i) **Noted and expressed its support** for the draft ADR educational instrument, "Resolving Disputes On Line: Asking the Right Questions about ADR" as presented in DSTI/ICCP/REG/CP (2002) 2.
- ii) **Agreed to the written procedure** for the declassification of the educational instrument viz. that comments on the current version should be sent to the Secretariat **by 26 April 2002**, and that a revised version of the text would be circulated on OLIS before the end of May. Once the revised text had been issued on OLIS, there would be a

該項文件確定得以解密。

iv) 更新中小企業工作團體所提供的訊息

22. 委員會瞭解由產業部秘書長Ms. Estime，針對目前SMEs工作小組的活動所做的報告。包括關於SMEs有關宣導其ADR機制的工作，能與CCP以及WPISP所共同研發的機制相配合。

b) 有關支付工具持卡者（Payment Cardholder）的消費者保護事項，常見的主要問題

23. 以下由Mr. M. Bond的介紹，委員會

- i) 瞭解並同意文件DSTI/CP（2001）3/REV1中的「對於支付工具持卡者的消費者保護報告」及其附件「常見問題」。
- ii) 對該宣導用文件的書面解密程序。對於現有版本的意見，各會員國應在2002年4月26日前擲回秘書處，而修正本將在4月底以前在OLIS上流通。一旦修正版公布之後，有三個星期的時

deadline of three weeks for comments by the CCP, WPISP and the ICCP. In the absence of objections during this three-week period, the text would be considered declassified.

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

22. The Committee **noted** an oral report by the Secretariat from the Industry Division (Ms. Estime) on the current activities of the Working Party on SMEs, including work on ADR for SMEs that will feature an educational instrument to complement the one developed jointly by the CCP and WPISP.

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

23. Following an introduction by Mr. M. Bond (United Kingdom) of the Working Group on Consumer Protections for Payment Cardholders, the Committee:

- i) **Noted and expressed its support** for the “Report on Consumer Protections for Payment Cardholders” and the attached “Frequently Asked Questions” as presented in DSTI/CP (2001) 3/REV1.
- ii) **Agreed to the written procedure** for the declassification of the report viz. that comments on the current version should be sent to the secretariat **by 12 April 2002**, and that a revised version of the text would be circulated on OLIS

間，供CCP提出意見。三週之後，如果沒有異議的話，該項文件確定得以解密。

c) 對於其他法庭有關管轄權以及適用法律等議題努力等
訊息的更新

i) 海牙國際私法會議（HCOPIL）判決專題

24. 委員會很有興趣的瞭解並紀錄海牙國際私法會議常設局首席秘書，Ms. A. Schulz針對B2C交易所產生的有關管轄權的爭議所提出之口頭報告。委員會瞭解到針對此議題的專案計畫將持續進行，同時對於Ms. A. Schulz的報告表示感謝，同時也表達日後與HCOPIL繼續針對此議題交換資訊的意願。

ii) OECD租稅與B2C數位下載管轄權管理中心

25. 委員會瞭解秘書處對於電子商務有關消費稅的工作報告以及關於線上消費者管轄權的認定。

before the end of April. Once the revised text had been issued on OLIS, there would be a deadline of three weeks for comments by the CCP. In the absence of objections received by the deadline, the text would be considered declassified.

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

i) *Judgment Project of the Hague Conference on Private International Law (HCOPIL)*

24. The Committee **noted with interest** an oral presentation by Ms. A. Schulz, First Secretary at the Permanent Bureau of the Hague Conference on Private International Law, on the Hague Judgments project, with particular attention drawn to the challenges posed with regard to drafting the provisions governing jurisdiction for cases arising out of B2C transactions. The Committee **noted** that work is continuing on this project. The Committee **thanked** Ms. Schultz for her presentation and expressed **its interest** in a continuing information exchange with the HCOPIL on these issues of mutual interest.

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

25. The Committee **noted** an oral presentation by the Secretariat (Mr. D. Holmes, Head of the E-Commerce, Consumption Taxes and Tax Administration Division) on current work on

第十一項 水平的合作

a) 活動代碼 (codes of conducts)

26. 在秘書處針對ICCP有關活動代碼訊息更新的口頭報告之後，委員會瞭解該項計畫第二期必須延遲的原因，是因為考慮到必須加快對於「資訊安全與網路指導綱領」的審查速度。

b) 環境以及穩定的消費

27. 委員會瞭解秘書處針對目前工作內容的口頭報告。委員會瞭解“Sustainable Consumption Branch”正在準備一份「綜合報告：朝向穩定的家庭消費？在OECD國家的發展與政策」，將於2002年在南非約翰尼斯堡所舉行的地球高峰會中提出。委員會也進一步的瞭解到，其他更多有關家庭食物消費的研究報告資料，可以在環境組織網站取得：
<http://www.oecd.org/env/consumption>

the consumption tax aspects of electronic commerce, and more particularly issues related to jurisdiction verification of online consumers.

ITEM 11: HORIZONTAL CO-ORDINATION

a) Codes of Conduct

26. Following an oral update by the Secretariat (Deputy Director, Mr. Dryden) on the ICCP project on codes of conduct, the Committee **noted** that commencement on the second phase of the project had been delayed due in order to accommodate the expedited schedule for review of the *Guidelines on Information Security and Networks*.

b) Environment and Sustainable Consumption

27. The Committee **noted** an oral presentation by the Secretariat (Ms. A. Zacarias-Farah and Ms. Y. Serret of the Environment Directorate's Sustainable Consumption Branch) on their current work programme. In particular, the Committee noted that they plan to issue a “Synthesis Report: Towards Sustainable Household consumption? Trends and Policies in OECD Countries” at the Earth Summit 2002 in Johannesburg, South Africa (September). The Committee **further noted** that more information, including recent releases of the “Household Food consumption” report and others could be found on the Environment Web site at <http://www.oecd.org/env/consumption>.

c) 網域名稱管理系統：由OECD經驗所產生有關政策的爭議

28. 秘書處很有興趣的瞭解秘書處的報告，以及文件DTSI/ICCP92002) 8，對於進來大會所面臨的網路蟑螂搶註ocde.org此一問題的說明，以及基於此一經驗所產生的政策焦點。

第十二項 延伸範圍

a) 非會員國

29. 委員會：

i) 記錄文件DSTI/ICCP (2002) 9，以及2003年初副主任，Mr. Dryden在環太平洋國家所召開的OECD全球數位經濟論壇的報告。此一論壇是接續著前幾年一系列的論壇之一：1997年11月Turku會議，1998年渥太華部長級會議，1999年10月巴黎論壇，以及2001年杜拜EMEF。

ii) 瞭解OECD期望本次論壇將能與APEC合作舉辦，並為2003年12月10-11日在日內瓦所舉行的「國際電信聯盟資訊社會世界高峰會」預作準備，同時也與OECD合作的DOT Force的工作相關連。

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

28. The Committee **noted with interest** a presentation by the Secretariat (Mr. D. H. Small, Director of Legal Affairs), and document DSTI/ICCP (2002) 8 on the problem recently met by the Organisation with regard to the cybersquatting of the *ocde.org* domain name, and on the general policy issues arising from this experience.

ITEM12: OUTREACH

a) Non-member countries

29. The Committee:

i) **Noted** document DSTI/ICCP (2002) 9 and a statement by the Deputy Director, Mr. Dryden, on the preparation of the OECD Forum on the Global Digital Economy which is to be held at the beginning of 2003, probably in a Pacific Rim location, and which will be the next event in the series including the November 1997 Turku Conference, the October 1998 Ottawa Ministerial Conference, the October 1999 Paris Forum and the January 2001 Dubai EMEF.

ii) **Noted** that this Forum, which the OECD hoped would be organised in collagoration with APEC. would taken place in the context of the preparation of the ITU World Summit on the Information Society to be held in Geneva on 10-11 December 2003, and was also relevent to the work of the DOT Force to which the OECD was also associated.

iii) 基本上認為CCP可以提供此論壇一項或是多項的協助。例如將彙整渥太華宣言所達成的成果，包括「電子商務消費者保護指導綱領」的執行與發展，以及對於未來消費者保護政策等相關工作的預測。委員會認為可以在2002年10月的會期中，討論可以為提供此論壇一項或多項的協助。

b) 其他論壇的活動

30. 委員會很有興趣的瞭解到：

— 紐西蘭代表團針對最近APEC的活動所做的報告，包括2002年2月22-23日所舉行的第五次APEC電子商務指導小組會議，以及預定在2002年8月所召開的第六次會議。

— 關於「國際標準組織消費者保護政策委員會」最近活動的工作報告。包括COPOLCO最近針對ADR的規劃，以及將在2002年6月於千里達召開會議。

— 墨西哥代表團針對「美洲自由貿易區」最近活動所做的報告。包括2002年2月13-15日在巴拿馬所

iii) Generally **considered** that the CCP could prepare one or more deliverables for the Forum, e.g. a wrap-up of the accomplishments of the Ottawa Declaration - including the development and implementation of the *Guidelines for Consumer Protection in the Context of Electronic Commerce*; and/or a forward-looking statement which might set out future directions for relevant consumer protection policy-related work. The Committee **considered** preparing one or more of these deliverables for discussion at its October 2002 session.

b) **Activities in other fora**

30. The committee **noted with interest**:

— A presentation by the Delegation of New Zealand (Ms. S. Kerkin) on APEC's (Asia-Pacific Economic Cooperation) recent activities, including the APEC's E-Commerce Steering Group's Fifth Meeting on 22-23 February 2002 and the Sixth Meeting scheduled for August 2002.

— A presentation by the Secretariat (Mr. Kaneko) on COPOLCO's (ISO Committee on Consumer Policy) recent activities, including mention of COPOLCO having recently formulated a new proposal on ADR and that its next meeting would take place in Trinidad in June 2002.

— A presentation by the Delegation of Mexico (Ms. P. Ruiz Velasco) on FTAA's (Free Trade Area of the Americas)

召開的會議。該次會議的重點在於針對電子商務所牽涉到的詐欺、隱私以及管轄權等種種爭議，進行廣泛的分析。

—由惠普公司Mr. S. Cooper對於「電子商務全球商業論壇」最近活動所做的報告。包括該論壇近來研究ADR機制發現，針對消費者、消費者組織以及政府機構等買賣行為很難找到一個長期的ADR機制。

—「泛大西洋消費者論壇國際消費者組織」對於最近活動的報告。包括對於隱私的保護，「OECD消費者保護指導綱領」，以及網路連結的寬頻運用。

—「聯合國貿易發展理事會」對於最近活動的報告。包括UNCTAD在2001年10月於日內瓦召開的「消費者權益、競爭、競爭與發展專家會議」。「UNCTAD跨政府組織競爭法與政策專家小組會議」將於2002年7月3-5日於日內瓦召開。

recent activities, including its meeting on 13-15 February 2002 in Panama City. The meetings conducted thus far and have involved a wide analysis of matters related to e-commerce particularly issues including fraud/deception, privacy, jurisdiction and dispute resolution.

—A presentation by Mr. S. Cooper of Hewlett Packard on GBDe's (Global Business Dialogue on Electronic Commerce) recent activities, including GBDe work on ADR from which it has emerged that buy-in from consumers, consumer organisations and government authorities will be critical to finding any long-term solutions with regard to ADR.

—A presentation by Consumers International (Ms. O. Nicolas-Etienne) on TACD's (Trans Atlantic Consumer Dialogue) recent activities, including discussions of privacy (implementation of the safe harbour agreement), the OECD Consumer Protection Guidelines, and broadband access to the Internet.

—A presentation by the Secretariat (Mr. Kaneko) on UNCTAD's (United Nations Conference on Trade and Development) recent activities, including a meeting of the UNCTAD Expert Meeting on Consumer Interests, Competitiveness, Competition and Development held in Geneva on 17-19 October 2001. UNCTAD's Intergovernmental Group of Expert on Compe-

- 「聯合國歐洲經濟理事會」秘書處對於其最近活動的報告。包括對於網路的自律規範、相關管理規定，以及ADR。線上ADR機制將會是2002年六月6-7日在日內瓦所召開會議的工作重點。

第十三項 其他商業活動

a) 年度報告

31. 委員會應大會秘書處邀請將2001年度報告，盡快遞交秘書處，並瞭解報告內容將在2002年4月底公布在OECD的全球網站上（<http://www.oecd.org/en/documents/0,,EN-documents-44-no-11-0,FF.html>）。委員會也明瞭按時遞交年度報告之重要性；因為報告中提供了許多具有價值的資訊，並吸引許多使用者瀏覽網站。

b) 網站的發展

32. 委員會極有興趣的聽取秘書處針對「消費者政策委員會」應用密碼保護的網站發展，並同意在2002年5月底以前完成設置。

tition Law and Policy will meet in Geneva on 3-5 July 2002.

- A presentation by the Secretariat (Mr. Donohue) on UN/ECE's (United Nations Economic Commission for Europe) recent activities, including recent work on Internet regulation and self-regulation, and ADR. Online ADR will be the topic of a workshop scheduled for 6-7 June 2002 in Geneva.

ITEM13: OTHER BUSINESS

a) Annual reports

31. The Committee was **invited to submit** its 2001 annual reports to the Secretariat **as soon as possible** and **note** that all of the reports would be posted on the OECD Web site (<http://www.oecd.org/EN/documents/0,,EN-documents-44-1-no-11-no-0,FF.html>) by the end of April 2002. The Committee **further noted** the importance of timely submission of annual reports, which provide a valuable informational resource and attract a large number of visitors to the Web site.

b) Web site development

32. The Committee **noted with interest** an oral presentation by the Secretariat (Ms. Harris) on the possible development of a password-protected CCP Web site and **agreed** to its development and deployment by the end of May 2002.

c) 下次會議的日期

33. 委員會同意第63次會議將於2002年10月3-4日於巴黎舉行。

d) 提醒與截止日

34. 委員會應邀校正以及更新其參與消費者政策委員會工作小組的資訊。委員會的代表也會得鼓勵參加工作小組的組成。允許其使用資源對於委員會的工作有著不可或缺的幫助。

35. 委員會瞭解本次會議所提及之文件，其各項截止日期都將載明在其結論中。（參見附件三）

c) Dates of next session

33. The Committee **agreed** that its 63rd Session will be held on 3-4 October 2002 in Paris.

d) Reminders and deadlines

Room Document

34. The Committee was **invited** to review and update its participation in CCP Working Groups (by contacting the Secretariat) and delegates were encouraged to join the Working Groups, resources permitting, which provide an integral contribution to the work of the Committee.

35. The Committee **noted** that a document setting that summarised the deadlines agreed during the course of the session was tabled at its conclusion (see Annex III).

附件一

OECD 消費者政策委員會決議
2002年3月13-14日，第62次會議，法國巴黎

鑑於Jytte Oelgaard擔任丹麥消費者組織之負責人，

鑑於Oelgaard小姐自1996年起即擔任OECD 消費者政策委員會主席，

鑑於Oelgaard小姐在委員會服務時，堪為楷模，領導委員會：

- 訂定電子商務消費者保護指導綱領，
- 針對重要的議題舉行研討或是提出報告，例如：
 - 支付工具持有者的保護
 - 替代性爭端解決機制
 - 跨國界法律執行，
- 以及透過指令的更新以及鞏固資金的來源，建立委員會一個穩定有發展的遠景，而且

ANNEX I:

RESOLUTION OF THE OECD COMMITTEE ON
CONSUMER POLICY 62ND SESSION ON 13-14
MARCH 2002, PARIS, FRANCE

WHEREAS, Jytte Oelgaard serves as Head of Division at the Danish Consumer Agency, and

WHEREAS, Ms. Oelgaard has also served as Chair of the OECD Committee on Consumer Policy since 1996, and

WHEREAS, Ms. Oelgaard's service to the Committee has been exemplary, leading the Committee through:

- the development of the Guidelines for Consumer Protection in the Context of Electronic Commerce, and
- the development of important workshops and reports on topics such as
 - payment Cardholder Protections
 - Alternative Dispute Resolution
 - Cross Border Law Enforcement,
- and the establishment of a stable future for the Committee through securing renewed mandates and funding, and 4

鑑於Oelgaard小姐所有對於委員會的努力，有助於本委員會架構與聲望的提升，

因此OECD 消費者政策委員會決議對於Oelgaard小姐過去六年來對本會的貢獻表示感謝之意。

WHEREAS, all of Ms. Oelgaard's efforts have led to the enhanced stature and reputation of the Committee.

BE IT RESOLVED the OECD Committee on Consumer Policy expresses its gratitude for the contributions of Ms. Oelgaard to the work of the Committee and commends her for her six years of exemplary service.

附件三

第62次OECD 消費者政策委員會主席致詞

歡迎本次會議之所有代表。

1. 首先我要恭喜主席以及其他的委員願意擔負起委員會的重責大任。同時，我也衷心的，感謝委員會前任主席Oelgaard小姐過去六年來對本會的貢獻。他在任期間，正值本會研究電子商務消費者保護指導綱領的時後，而且那份綱領對於OECD的電子商務發展專案來說，具有關鍵性的貢獻。期望委員會與秘書處在各位委員的領導下，能繼續獲益。

2. 在介紹今天與明天的實質討論時，我想從關於「OECD重整計畫」開始，那將與各項活動的安排、預算、以及委員會未來的方向有關。

OECD重整計畫

3. 如同秘書處已經跟各位代表報告過的一樣，秘書長已經在2001年10月將「OECD-挑戰與策略專題報告」遞交給大會。在與各代表團團長討論之後，已同意成立三個非正式之工作小組。這些工作小組將與預算委員會合作，重新檢視關於工作以及預算優先順序。他們也將

ANNEX III

DIRECTOR'S STATEMENT 62ND SESSION OF THE COMMITTEE ON CONSUMER POLICY

I welcome all delegates to this meeting.

1. First of all, I would like to thank and congratulate the new Chair (Mr. Mozelle Thompson) and Bureau members for agreeing to play an important role in this Committee. I would also like to express my sincere thanks and appreciation to the Committee's former Chair, Jytte Oelgaard, for her six years of service to the Committee. It was during her stewardship that the Committee developed the Guidelines on Consumer Protection for E-commerce making an essential contribution to the OECD's horizontal E-commerce project. I hope that both the Secretariat and the Committee will continue to benefit from the timely guidance of its Bureau members.

2. By way of introduction to the substantive discussion today and tomorrow, I would like to begin with the OECD Reform Process, which relates to the work programme, budget and future direction of the Committee.

The OECD reform process

3. As the Secretariat already informed all delegates, the Secretary-General submitted his proposal on "The OECD-Challenges and strategic Objectives" [C (2001) 240] to the Council in October 2001. Following discussions with the Heads of Delegation, it was recently agreed to set up three informal working groups. These

從新評估委員會重整的問題，檢視OECD與其他受補助機構間的互動關係。包括做為優先問題的發展工作的架構。

—第一個工作小組將予預算委員會檢視關於工作以及預算優先順序，並由澳大利亞大使擔任主席。報告將於4月底提出。

—第二個工作小組將從新評估委員會重整的問題，並由加拿大Hurtubise大使擔任主席，在六月底前提出報告。

—第三個工作小組檢視OECD與其他受補助機構間的互動關係，包括做為優先問題的發展工作的架構，並由荷蘭大使擔任主席，在四月底前提出報告。

4. 前述報告將遞交大會討論與決行。無論最後結果如何，透過這些過程，大會將因而更能有效的掌控各委員會。

groups will review the priority setting exercise and budget process, in co-operation with the Budget Committee. They will review the evaluation and restructuring of Committees and working groups, and review the interaction of the OECD with its affiliated bodies, including as a priority question, the structure of the work on development.

—First Working Group which will review the priority setting exercise and budget process, in co-operation with the Budget Committee, will be chaired by Ambassador Forsyth (Australia). It is to submit its report by the end of April.

—Second Working Group, responsible for examining the evaluation and restructuring of Committees and working group will be chaired by Ambassador Hurtubise (Canada). It is to submit its report by the end of June.

—Third Working Group, to review the interaction of the OECD with its affiliated bodies, including as a priority question, the structure of the work on development, will be chaired by Ambassador Engering (Netherlands). It is to submit its report by the end of April.

4. The reports will then be submitted to the Council for discussion and action. Whatever the outcome of this process may be, it is clear that all committees will be subject to close scrutiny by the Council.

5. 評鑑的標準也應該納入考量。秘書長的報告中列舉了幾項，例如工作的成本、花費優先性、必要性以及召開會議的密集性、會議的功用、紀錄、代表的報告，各項合作活動的優先性以及成效等等。

6. 各國代表團團長對於這些過程的反應才正開始。我們也不清楚什麼樣的建議會被工作小組接受並且推動；但我們已經提供各國代表相關訊息，有關如何表意見的程序以及方法與適當的管道。我非常鼓勵各位針對各國代表所提供的資金進行的活動、與相關的爭點提出討論。

更新消費者政策委員會指令

7. 關於去年12月大會決定擴張委員會指令的事，會員國一致表達對於委員會工作的支持，並且瞭解工作小組將針對委員會指令訂定日落條款。大會也同意關於架構重整問題的各项決定將立即適用於委員會指令。

8. 另外一項討論的重點在於委員會各項工作與OECD

5. Also to be taken into account are criteria which the Secretary-General listed in his document, such as the value of work in capitals, costs, priorities, necessity and frequency of meetings, efficiency of meetings, documentation, representation of delegates, effective priority setting, horizontal programmes and co-operation.

6. We are just at the beginning of a process of reflection by these Working Group of the Heads of Delegation. We do not have any clear idea yet regarding the suggestions which will be put forward by these groups, but we have provided the Committee Delegates with the relevant information to enable them to contribute to this process of reflection through the appropriate channels in their capitals and Permanent Delegations. I would like to encourage you to discuss any relevant activities, priorities and issues in your capitals and with your Council members.

Renewal of CCP mandate

7. With regard to the Council's decision last December to extend the Committee's Mandate, Member countries expressed unanimous support for the work of this Committee and also noted that the sunset clause for Committee mandates is part of the rigorous assessment of this overall review on the evaluation and restructuring of Committees by the Working Group. Therefore, the Council agreed that any decision in this respect would be immediately applicable to the Mandate of the Committee.

8. One item that was also emphasised during those discussions

其他單位或是會外單位間的相互合作。對於這一點，包括例子有：ADR、跨國界法律執行的相互合作。

9. 我注意到各位本次議程中包含了歐洲議會代表，海牙國際私法協會，國際市場監督網，以及國際商會，以及秘書工作人員針對環境、競爭政策以及稅務等報告。

10. 就秘書處而言，將加強團隊工作；就委員會或是工作小組而言，合作可以透過計畫的參與、文件的討論以及流通，針對特定共同利益的協商或是適當的聯合會議而達成。

工作內容

11. 關於OECD工作內容、優先順序與預算的決定機制，也是這次討論重整的另一項重點。因此，本次議程中的重要議題。關於2003-2004年委員會工作項目，有些並不確定，之後也將列入OECD的活動議程中。

was the importance of co-ordinating the Committee's work with work ongoing elsewhere within the OECD and outside the Organisation. On this point, examples of such co-operation include: ADR and trust building with the WPISP and the WP on SMEs; and cross-border enforcement co-operation with the DAFFE's Competition Committee.

9. I have noted with interest that your Agenda includes presentations by representatives of the Council of Europe, The Hague Conference on Private International Law, the International Marketing Supervision Network, and the International Chamber of Commerce, as well as from Secretariat staff working in the areas of environment, competition policy, and taxation (not to mention from other areas in DSTI).

10. In the Secretariat, teamwork will be intensified, and on the Committees/Working Parties side, co-operation will be further developed through such means as joint projects, wide circulation and discussion of document, joint meetings/workshops on specific themes of common interest, and as appropriate, joint Committee meetings.

Work programmes

11. One important aspect of the reform process is the system for deciding on the overall OECD programme of work, priorities and budget. There is, therefore, some uncertainty on the way in which the Committee's programme of work for 2003-2004, which is one of the main items on the Agenda, will be integrated into the overall OECD

12. 基於這樣的考量，秘書長製作了一份2003-2004年工作優先順序表，並在兩週前提請大會背書。這份報告將做為委員會準備工作計畫的指導。2000年大會所提出的八項主要領域仍然有效，並仍然代表各會員政府目前的意向。

13. 秘書長也標明了某些新興的議題，例如國際恐怖主義以及實施一些互助合作，以極具有時效性的議題。

預算

2002年的預算

14. 提到預算，大會同意2002年並未編列印製指令的預算，同時減少一些活動，以增進其他一些互助合作的機會。就委員會所瞭解，前幾年也有同樣的情形。

programme.

12. In this regard, the Secretary-General submitted the Priority Setting Paper for 2003-2004 for the Council's endorsement two weeks ago. This paper will serve as a guide to committees as they prepare their draft programmes of work. The eight thematic areas established by Council in 2000 continue to provide a good representation of Member governments' present and on-going priorities. (e.g. the Committee on Consumer Policy will contribute, in particular to the themes "the best use of new technologies" and "economic, stability and structural adjustment").

13. The Secretary-General also highlights a number of new and emerging activities (Box 1) such as "International Terrorism" and reinforcing horizontal work and specific time-bound activities (Box 2) such as Sustainable Development, Health and the Post-Doha trade agenda as likely candidates at the moment.

Budget

2002 budget

14. With regard to the budget, the Council agreed on the budget for 2002 along zero-volume growth guidelines, with minor reductions in some activities, in order to make way for some horizontal activities. As far as this Committee is concerned, we have the same resource envelope as in the previous year. This envelope permits one regularly-funded A-level administrator post supporting the work of

2003年的預算

15. 第一小組最快將在四月底檢視OECD的預算程序，並將建議改善預算及資源的分配方式，以供秘書長針對現在發生或可能發生議題，預作分配。在這項過程中，面對資源減少卻必須增加資源運用的靈活度與彈性，是很困難的一件事。有可能的情形是檢視OECD的經費，挪用部分到現在新興的議題以極具有高度優先性的議題。

16. 無論結果為何，都可以釐清現有的OECD的資源，同時，委員會所決定的工作優先順序也將成為大會考量其工作內容的重要因素。所以決定工作的優先順序將會是一個很重要的過程，同時有待於各國代表的參與。

the Committee, along with the assistance of a B-level post that is shared with the privacy and security work in the WPISP. In addition, the Committee continues to benefit from the generosity of the Japanese government, which funds an additional project post at the A-level and much of the day-to-day operating funds for the secretariat support of the Committee's work.

2003 budget

15. The first Reform Group will review the OECD budget process and recommend ways of improving the Organisation's capacity to allocate its resources effectively on the overall priorities, and of increasing the resources available to the Secretary-General to respond to emerging and unforeseen issues by end-April at the latest. Creating flexibility or freeing-up an important margin of the Organisation's resources, to respond to such emerging issues in an environment of zero-growth or declining resources is a challenge of this review. It is probable that at least a certain proportion of the overall budget of the OECD should be reviewed with a view to moving this amount to new high priority activities and important emerging issues, based on the Committee's priority setting.

16. Whatever the outcome of the reform process, it is clear that given the current resource situation of the OECD, the Committee's own priorities will be an important element in the final decision on the Organisation's programme. The priority voting exercise is therefore an important operation, and it is essential that all Delegates participate.

策略議題以及核心能力：2003-2004工作內容

17. 我想回過來說明有關委員會的工作。

18. 在2003-2004年的工作內容中，委員會將焦點擺在其核心能力以及其他互助合作上，是很重要的事。瞭解目前所擁有得資源限制也是一件很重要的事。

對抗國際恐怖主義：安全與經濟復甦

19. 目前OECD一項新興的議題是「國際恐怖主義」。如何兼顧「安全」以及「經濟復甦」是目前一項重要的議題。

消費者與使用網路的信心

20. 我在此重申，既然消費者與網路使用者無法確信網路交易的安全，因此，建立消費者與使用者的信心，是提升B2C，電子商務的發展，以及利用ICT，以及藉著利用ICT加快經濟復甦的重要方法。

消費者保護指令與ADR

21. 關於執行電子商務消費者保護指令以及教育消費者與其他利益團體，一個很重要的部分是有關於支付系統卡片持有人的保護，尤其在目前卡片還是主要的線上

Strategic objectives and core-competencies: Work Programme 2003-2004

17. I would now like to turn to the substance of the Committee's work.

18. In the work programme for 2003 and 2004, it is important that the Committee should focus on its core-competencies and on the horizontality of its work, keeping well in mind the limits of the resources currently at its disposal.

Against international terrorism: security and economic recovery

19. An emerging OECD horizontal priority is the work addressing a wide range of issues posed by International Terrorism, that is, How to manage "Security" and how to "reinforce and speed economic recovery" within a longer-term knowledge-driven growth.

Consumer and user trust of the Net

20. Here, I would like to reiterate that since consumers and users of the Net and not convinced of the safety and security of network transactions, the "Building trust for user and consumers" is a key element for enhancing B2C, E-business, use of ICT and broadly ICT and broadly ICT-driven growth and economic recovery.

Consumer Protection Guidelines and ADR

21. Concerning full implementation of the Consumer Protection Guidelines and educating consumers and other stakeholders, one aspect of this effort is a report on enhancing protections for payment

支付工具時。在「常見問題」的部分，可以多作說明以減輕使用者之疑慮。

22. 第二部分是最佳範例的說明手冊。主要的功用在於幫助消費者以及產業在實務上運用該項指令。

23. 第三部分則是注重在鼓勵有效的ADR的系統的發展。這將可以有效解決線上交易所產生有關管轄權以及適用法律的問題。編印教育資料提供民眾已鼓勵其使用ADR將是另外一項的挑戰。

24. 委員會被邀請與WPISP，基於現有的法制與教育資料，一起討論並彙整與ADR有關的工作內容。

跨國界法律執行的合作

25. 明天的議程將著重在跨國界糾紛的賠償。工作小組已經針對此一議題的相關重點，例如政策架構以及資訊共享的限制等，準備了一份內部文件。我相信委員會應該會以指導綱領的要件繼續此項工作之進行。（對於線上消費者的保護不應低於傳統模式的消費者）

cardholders which is still the primary mechanism for online payments. This includes a “Frequently Asked Questions” section to help address consumer fears about online.

22. Second is a catalogue of “best practices examples” aimed at helping consumers and business understand how to apply the Guidelines in practice.

23. The third project aims to encourage development of effective ADR mechanisms, which can minimise the difficulty of resolving issues of jurisdiction and applicable law in the online context. Developing educational materials for consumers and SMEs to encourage use of effective ADR mechanism is part of the challenge.

24. The Committee is invited to discuss and to decide on any further direction for wrapping up the current work programme on ADR in co-operation with the WPISP, based on the legal synthesis and educational instrument.

Cross-border enforcement co-operation

25. Tomorrow’s Forum session will focus on the issue of cross-border remedies. The Working Group has already produced an initial report that highlights a number of issues to address these challenges such as effective policy framework and information sharing restrictions. I think the Committee should strongly consider continued work in this area of this Guidelines’ key principle (“online consumers should be afforded a level of protection that is no less that afforded

26. 網路的管理與技術發展已引起了相關執行政策的爭議。雖然一般商業網域名稱註冊人的身份與訊息可以由“WHOIS”系統查詢；但是由最近OECD與網路蟑螂經驗看來，跨國界的搜尋將是網域名稱系統的一項重要問題。

新興商業模式與科技的衝擊

27. 目前，我們已經進入了寬頻時代，許多新的科技或是新的溝通方法的架構等，都已經導致新的商業模式的產生。例如網路電話、第三代行動通訊系統、家用數位與行動電子功能以及其他多樣化的數位服務。

28. 這些發展將會導致新的消費者保護的議題。包括行動式電子商務，對於用來保護智慧財產權的科技技術解密的問題，以及傳統線上購物價格的問題委員會其實很適合針對這些議題進行政策性的討論。有些工作或許可以與WPISP相互合作。

安全性的指導綱領

consumers in more traditional forms of commerce”).

26. This also relates to exploring enforcement policy issues raised by Internet governance and technological developments. Contact information for commercial domain name registrants, often available through a “who is” search, can be a useful consumer protection enforcement tools, but the recent OECD’s cybersquatting experience [under Agenda Item 11 (c)] may raise the cross-cutting management issues on the Internet Domain Name System.

Impact of new technologies and emerging business models

27. In this connection, we are now entering the Broadband Age where many new technologies and the convergence of communication infrastructures, services and technologies are creating new businesses and markets such as Internet telephone, third generation mobile Internet, digital and mobile household electric appliances and various digital content services.

28. Such developments can present new consumer protection issues. They include issues raised by mobile E-commerce, disclosure issues raised by the use of technology for protecting intellectual property rights, and dynamic pricing practices on line. The Committee is well positioned to contribute to the policy debate on these issues. Some work in this area would be undertaken in cooperation with the WPISP.

Security Guidelines

29. 另外提供各位作參考的是，在上星期的會議中，ICCP同意加速其對1992 OECD安全指導綱領的檢核，期望在2002年9月11日前完成。911事件讓我們瞭解到網路社會的弱點，以及對於公眾與隱私的威脅。增強大眾對於危險的認識，以及安全措施的取得是很重要的一件事。所以修訂版的安全指導綱領重點應該在「安全的文化」。同時，在考量執行的問題時，委員會應關切與消費者有關的部分。

OECD全球論壇：位於數位經濟的全球架構

30. 另外值得一提的，在1998年渥太華部長級會議之後的另外一件大事，就是將要在2003年召開的「OECD數位經濟全球論壇」。ICCP在上週已經同意要來主辦。如果APEC同意的話，我們希望能與APEC合作。我想這個場合將是OECD各單位最好的展示窗口，尤其是對消費者政策委員會以及ICCP委員會。

31. 下一個階段將著重在一個融合的電子商務架構。

29. For your information, during the meeting last week, the ICCP agreed to accelerate its work on the review of the 1992 OCED Security Guidelines, with expected completion before the 11th September 2002. The events of September 11 demonstrated the necessity to address the vulnerability of the Networked Society and threats to public and private sectors, and the importance of raising awareness of such risks and security safeguards that are available. Therefore, the key message of the revised Guidelines should likely be a stress of an importance of "Culture of Security," and in the implementing stage of the Guidelines, this Committee may have concerns of the implications to the consumers.

OECD Global Forum: Policy Framework for the Digital Economy

30. I would also like to mention the next big event after the Ottawa Ministerial Conference of 1998. "an OECD Forum on the Global Digital Economy" at the beginning of 2003, which the ICCP agreed to organize last week. We hope to do this in co-operation with APEC, provided they agree. I see this event as a major shop-window for the OECD's deliverables, in particular for the CCP and ICCP Committee.

31. This could include the next procedure which involve taking stock of progress and syntheses of an integrated electronic commerce framework (e.g. assessing the impact of the Guidelines) since Ottawa and renewing the action plan including the forward-looking agenda in this area. In this regard, I would like to hear your views on the Agenda on this Forum, including deliverables.

關於成員的訊息

32. 如您所知，John Dryden已經兼職很久了。所以我想他一定非常希望五月份新任的部門主管到來。新任的主管為Mr. Pekka Lindroos。他來自於芬蘭政府，之前在芬蘭貿工部任職。

33. 去年11月新加入我們ICCP分部的是Julie Harris。他將協助CCP與WPISP。

謝謝各位，與主席先生。

Staff news

32. As you know, John Dryden has been wearing two hats of late, continuing to act as Head of the ICCP Division while simultaneously taking up his new duties as Deputy Director. So, I know John will be particularly pleased to see the arrival in early May of our new Head of Division, Mr. Pekka Lindroos. He joins us from the Finnish Government, where he occupied the position of Chief Consellor at the Ministry of Trade and Industry.

33. Also new to the our ICCP Division team is Julie Harris, who joined us in Novermber, but is no stranger to the OECD having worked on tax and e-commerce issue in DAFPE. Her talents are shared between the CCP and the WPISP.

Thank you, Mr. Chair.