

Chapter 2

Overview of the Research

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II. Overview of the research

The members of this working group attempted to share information on the state of e-commerce and related legal and other systems in ASEAN and East Asian countries, and also shared thoughts on how to cooperate within ASEAN and the East Asian region on issues such as e-commerce complaint handling.

1. Outline

1.1. The first workshop

The first workshop was held on December 18, 2008 at NEC Cooperation in Tokyo. All members except for one attended the workshop.

In session one, “Current status of e-commerce in Asia,” ERIA members shared information about the state of e-commerce in each country. On the one hand, the members from ASEAN countries reported on issues such as the state of their e-commerce market and progress with infrastructure building. On the other hand, Japan’s working group members and consultants reported not only on the state of the e-commerce market, but also on the state of establishment of legal and other systems related to e-commerce, for example, the “Interpretative Guidelines on Electronic Commerce and Information Property Trading” and the “Act on the Protection of Personal Information.”

In session two, “Reliability of e-commerce,” a researcher from Japan’s EC Network introduced the history of international activities related to “Trustmark”, which is a system to ensure online business reliability, and Alternative Dispute Resolution (ADR), which is a scheme to handle complaints about e-commerce from consumers. Next, activities in the US and EU were respectively introduced as leading examples of international cooperation for the handling of complaints.

The following is the program of the first workshop.

<Agenda of the first workshop>

10:00 - 10:30 Welcome and introduction

Moderated by Prof. Tsuneo Matsumoto, leader of the working group

- Greetings from Mr. Suzuki Kenjiro, METI, Japan (observer)

- Introduction of “ERIA~the Outcomes on ERIA Governing Board and the Progress of ERIA's Activities~” by Prof. Fukunari Kimura, ERIA senior researcher
 - Greetings from Mr. Toshiro Kawamura, Executive Advisor, NEC Corporation, Co-Overall Chair, GBDe (observer)
 - Self-introduction from attendees
- 10:30 - 11:20 Session 1: Current status of e-commerce in Asia
(Report from each country)
- Mr. Seah Seng Choon, Consumer Association of Singapore (member)
 - Mr. Isara Ratapipat, Ministry of Commerce, Thailand (member)
- 11:20 - 11:40 Break
- 11:40 - 12:30 Session 1: Current status of e-commerce in Asia
(Report from each country)
- Dr. Nguyen Manh Quyen, Ministry of Industry and Trade, Vietnam (member)
 - Mr. Muhammad Sha'ani b. Abdullah, National Consumer Complaints Center of Malaysia (NCCC), Malaysia (member)
- 12:30 -14:00 Luncheon
- 14:00 -15:00 Session 1: Current status of e-commerce in Asia
- Presentation on “The Current Status of Internet and E-commerce Market in Japan” by Mr. Michikazu Chihara, NEC, Japan (consultant)
 - Presentation on “Japanese Law concerning E-Commerce” by Mr. Ko Anada, Attorneys’ corporation, Soga, Uriu and Itoga Law Office, Japan (member)
 - Presentation on “Japan’s Efforts to Build Confidence ~Trustmark & ADR~” by Ms. Yuko Tonomura, EC Network, Japan (researcher)
- 15:00 - 15:20 Break
- 15:20 - 16:40 Session 2: Reliability of e-commerce
- Presentation on “Reliability of E-commerce in

- International Circumstances” by Ms. Yuko Tonomura, EC Network, Japan (researcher)
- Presentation on “Cross Border Consumer E-Commerce” by Mr. Charles Irving Underhill, Council of Better Business Bureaus, Inc. USA (consultant)
- 16:40 - 17:00 Break
- 17:00 - 17:50 Session 2: Reliability of e-commerce
 - Presentation on “ECC-Net for Consumer Disputes on E-commerce” by Prof. Yoshihisa Hayakawa, Rikkyo University, Japan (member)
- 17:50 - 18:00 Closing remarks
 - Moderated by Prof. Tsuneo Matsumoto, leader of the working group
 - Agenda of the second workshop
 - Outline of the working group’s research paper
 - Work schedule

1.2. The second workshop

The second workshop was held on February 26-27 at Novotel Singapore Clarke Quay in Singapore. All members attended the workshop.

In session one, “Legal and other systems related to e-commerce in Asia,” the members from ASEAN countries built on their reports made at the first workshop to further report on the current status of their e-commerce markets, legal and other systems related to e-commerce and complaint handling schemes (where applicable). Next, the member representing Consumers International (CI) reported on international trends related to consumer protection and the necessity of consumer protection for e-commerce.

In session two, “Towards the cooperation in establishment of a secure and safe e-commerce marketplace among ASEAN and East Asian countries,” the members discussed establishment of a network among the institutes that handle complaints on e-commerce from consumers. They discussed appropriate ways of handling complaints through cooperation among ASEAN and East Asian countries, with the assumption that a common website would be used as a communication tool among the related institutes in each country.

The following is the program of the second workshop.

<Agenda of the second workshop>

(Day 1: Thursday, February 26)

- 10:00 - 10:10 Welcome and introduction (review of the 1st workshop)
Moderated by Prof. Tsuneo Matsumoto, leader of the working group
- 10:10 - 11:30 Session 1: Legal and other systems related to e-commerce in Asia (Report from each country)
- Mr. Muhammad Sha'ani b. Abdullah, NCCC, Malaysia (member)
 - Mr. Seah Seng Choon, Consumers Association of Singapore (member)
 - Mr. Isara Ratapipat, Ministry of Commerce, Thailand (member)
- 12:00 - 14:00 Luncheon
- 14:00 - 15:20 Session 1: Legal and other systems related to e-commerce in Asia (Report from each country)
- Dr. Nguyen Manh Quyen, Ministry of Industry and Trade, Vietnam (member)
 - Presentation entitled “Visiting “E-Commerce” in China” by Mr. Naoki Iguchi, Anderson Mori & Tomotsune, Japan (member)
- 15:20 - 15:40 Break
- 15:40 - 16:20 Special session: Efforts of Consumers International
Presented by Ms. Indrani Thuraisingham, Consumers International (CI), Malaysia (member)
- 16:20 - 17:50 Session 2: Towards cooperation for the establishment of a secure and safe e-commerce marketplace among ASEAN and East Asian countries
Moderated by Ms. Yuko Tonomura and Mr. Eiichiro Mandai
- Review of “ICA-Net” trial version from each member
 - Discussion of desired systems or rules in ASEAN and East Asia
- 17:50 - 18:00 Closing remarks
Moderated by Prof. Tsuneo Matsumoto, leader of the

working group

(Day2: Friday, February 27)

10:00 - 10:10 Opening remarks

Moderated by Prof. Tsuneo Matsumoto, leader of the working group

10:10 - 11:10 Review of the Workshops

Moderated by Prof. Yoshihisa Hayakawa, Rikkyo University, Japan (member)

- Review of day 1
- Sharing the achievements of the first and second workshops
- Discussion of the research report

11:10 - 11:30 Closing session

Moderated by Prof. Tsuneo Matsumoto, leader of the working group

- Work schedule

2. Research system

2.1. Members

Experts who have knowledge about recent e-commerce developments and consumer protection were chosen from ASEAN countries where infrastructure (internet and cell-phone, etc) has been building and the e-commerce market has been growing.

(1) Leader

The leader of this working group is Prof. Tsuneo Matsumoto of Hitotsubashi University Graduate School of Law in Japan.

His specialized field includes the Civil Code, consumer law, and e-commerce. He has recently conducted research especially about consumer affairs, IT-related law, and corporate social responsibility.

He plays central roles in Japanese government committees in the field of consumer protection. In addition, he is familiar with the state of development and legal systems in Asian countries, since he has engaged in support activities for the establishment of legal systems in developing countries as a Japan International Cooperation Agency (JICA) expert.

(2) Members

The members of this working group are people in charge of consumer protection and e-commerce policy or specialists in international law in Japan, Malaysia, Singapore, Thailand and Vietnam.

<Japan>

- Prof. Yoshihisa Hayakawa, belonging to Rikkyo University in Japan
- Mr. Naoki Iguchi, a lawyer, belonging to Anderson, Mohri, Tomotsune Law Office in Japan
- Mr. Ko Anada, a lawyer belonging to Attorneys' corporation, Soga, Uriu and Itoga Law Office in Japan

<Malaysia>

- Ms. Indrani Thuraisingham, Head of Consumers International (CI) Kuala Lumpur Office in Malaysia
- Mr. Muhammad Sha'ani Abdullah, Chief Executive of National Consumer Complaints Center (NCCC) in Malaysia

<Singapore>

- Mr. Seah Seng Choon, Executive Director of Consumer Association of Singapore (CASE) in Singapore

<Thailand>

- Mr. Isara Ratapipat, Trade Officer of e-Commerce Division, Ministry of Commerce in Thailand

<Vietnam>

- Dr. Nguyen Manh Quyen, Deputy Director General of Vietnam E-Commerce & Information Technology Agency (VECTA), Ministry of Industry and Trade (MOIT) in Vietnam

2.2. Institute supporting the study

EC Network supported this working group's research by gathering information to inform the members' discussion at the workshops. The following are EC Network's research members:

- Ms. Toshiko Sawada (Director)
- Ms. Yuko Tonomura
- Ms. Yuko Kusama

EC Network is the institute that has the most experience in Japan in terms of handling complaints related to cross-border e-commerce.

EC Network usually listens to and handles consumers' problems that occur through internet transactions such as internet shopping, internet services and internet auctions. Against the backdrop of increasing cross-border e-commerce, EC Network also focuses on international activities. For example, EC Network plays a central role especially in the Asia Pacific Trustmark Alliance (ATA) as a representative of an alternative dispute resolution (ADR) institute in Japan.

2.3. Consultants

The following individuals were invited to the workshops as ERIA Consultants. The information that they provided about their activities made a contribution to the discussion at the workshops.

- Mr. Charles Irving Underhill, Executive Vice President & Chief Operating Officer of Council of Better Business Bureaus, Inc. (USA), which is promoting trust and confidence on the internet through the BBBOnLine Trustmark, and also handling complaints from consumers
- Mr. Michikazu Chihara, Manager of NEC Cooperation and a member of the Consumer Confidence Issue Group of the Global Business Dialogue on Electronic Commerce (GBDe) (Japan)

2.4. Observers

The following people who were interested in this research attended the workshops and contributed to the discussion:

- Mr. Eiichiro Mandai, Chief Operating Officer, ODR Room Network Inc.
- Mr. Ger Meng-yo, Chief of Planning Department, The Secure Online Shopping Association
- Ms. Huang Jing, Deputy General Manager of China National Credit Information Service, Ltd. (SINOCREDIT), China International Electronic Commerce Center (CIECC)
- Ms. Li Guanqun, SINOECREDIT, CIECC
- Dr. Fukunari Kimura, Chief Economist of ERIA and Professor, Keio University
- Dr. Jenny Corbett, Professor of Australian National University

2.5. Coordinating institute

CICC (Center of the International Cooperation for Computerization) wholly managed this project. The core members are shown below:

- Mr. Yutaka Ikeda
- Ms. Hiroko Kawabata

CICC has been involved in support programs for training human resources essential for the computerization of developing countries, promotion of cooperation projects to find solutions for technical challenges common among developing countries, and exchanges of individuals to support computerization. Their management skills developed through these experiences was taken advantage of during this project.