

Short Article

Telecom-ICT and Consumer RightsQuazi Faruque^{*}

The world is moving fast. We would have to keep pace with it. Access to information is one of the consumers rights and we know that this is an age of free flow of information, which has become possible due to rapid advancement of science and technology. We all have to go forward accepting the challenge of the new millennium to create a better world for the coming generation through the adoption of affordable and user-friendly technology. To achieve the goal Telecom and ICT has a certain role about which our consumers would have to be made aware in order to enable them to protect their rights.

We know that Bangladesh is striving for creating an environment that promotes rapid dissemination of ICT at all levels of the society. To attain the objectives and conforming with the Millennium Development Goal (MDG) our government has undertaken ambitious programmes to create ICT skilled manpower and build an infrastructure even in the country side which is really a praise-worthy initiative. Besides Bangladesh is pursuing a private sector led growth strategy for the development of the country. We consider the ICT infrastructure to be one of the most important prerequisites for a dynamic and efficient private sector. In this regard an ICT policy has also been adopted.

While information is considered to be power in this new century in addition to the concept 'knowledge is power' reaching it to the people through an efficient telecommunication media has obviously a strategic importance for any country. No doubt development of telecom infrastructure and services should be considered as the most important tool for the development of ICT in the country. And with these objectives our government has already declared 'ICT as thrust sector' of our economy and has taken a series of programmes. Those are special ICT scholarship for girls, ICT internship for the young graduates, ICT incubator, High-tech Park and setting up of ICT training Institutes all around the countryside. Moreover, ICT is being used as a tool for the good governance with the purpose of creating a society for the welfare

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of the people. But it is also true that due to lack of awareness among the consumers in the Telecom and ICT sector especially in the cell phones, consumers are being deprived of their rights. They do not usually come forward to lodge complaints against the violation of their legitimate claims. But consumers in the different parts of the world, even in the Asia Pacific region have come forward to establish their rights and still we are lagging behind due to ignorance, unawareness and tricky business promotions of the Telecom & ICT service providers.

However, consumers had the expectation that with the growing trade liberalization they would have better services and prices along with better respect of their rights, whereas, with the increased competition, many existing cell phone companies have started unfair means to gain new customers at the cost of consumers.

Sometimes special promotions by various cell phone distributors offer seemingly great deals at highly discounted rates. At the same time a disturbing pattern of misinformation and deception have emerged. With these great deals they hide or forget to mention what are the bindings to the consumers to long subscription contracts, restrictions and other hidden costs. The bold print in the advertisements point out the offers, the other requirements are placed at inconspicuous position and in small print which I mean tricky business practice of the companies.

It may be mentioned that Bangladesh was the first country in South Asia to allow private participation in the telecom sector. But since then its implementation of reforms has not been rapid and the country has fallen behind most of its neighbours in this sector, mentioned a World Bank study. Bangladesh's National Telecom Policy of 1998 reflects international best practice. But delay in its implementation limited to private sector entry delayed investment. As a result the availability and quality of telecom services in Bangladesh lags international and regional benchmarks. Of course, gradually it has started changing. Private companies have been given licenses. Ultimate goal of the government is to increase the tele-density and improve the livelihood. Unofficial goal of the Telecom Ministry was to increase tele-capacity to 3.3 by 2005. In the year 2002 it was found tele-density had reached only 0.79. This means that 70 percent of the population had no telephone access. There has not yet happened any quantitative change in this sector. And Bangladesh ranks the lowest in telephone access as compared its neighbours.

It is very true that as a least developed country, most of the people of Bangladesh live under poverty. For this, the consumers cannot afford to get services of the high costing telecommunication products and services. Due to strict government regulations on telephone services, internet and telecommunication products, these are not easily accessible to the great majority of the consumers in Bangladesh. Such regulations in the form of taxes, VATs and other duty barriers on telecom products and services are the main hindrances of telecom availability to the users in Bangladesh. BTTB provides all types of services including mobile, paging and radio trunking operators and has also given licenses to install and operate digital exchange in rural area. I have already mentioned that telecom sector has been liberalized for private investment but reforming were delayed. Because of it competitiveness did not grow as expected. At the moment 4 providers are operating mobile phone services. Others who have got new licenses will start from January 2005. Besides in the absence appropriate and adequate protective laws, consumers in this sector are still not being able to go forward for their redressal against their rights abuse.

It may also be mentioned here that telephone users in our country are not well informed about the use of the phones. As for example very few subscribers know about spreading of mobile phone radiation. Sometimes mobile phones are used in Bangladesh while driving which is very risky. But there is no restriction on that. Even Government has not taken any step on safety standards about telecom products. We can claim that these are major violations of the consumer rights. These are rights to information and rights to safety.

In Bangladesh, the telecom products are usually imported and as such internationally recognized. Because there is no bulk domestic products available. There is no protection against dishonest or misleading information and unethical advertisements. The consumers are not properly informed by the providers of the product quality and risks or side effects, so that, he or she can make a choice of products or services.

We know consumers in our country are generally helpless, deprived and deceived in the absence of Consumer Protection Act. And this is the main reason. Although a Consumers Protection Law (Proposed) has recently been approved in principle, still miles to go ahead. As a result consumers are entirely dependent on the business people and consumers

have limited voice to express their concern regarding products and services in telecom sector. Here to mention that the consumers have to be satisfied with what the producers or providers offer. No measures are taken by the consumers to complain about products or services.

To keep pace with the speedy development of the world, Government has decided to bring competition of the private telecommunication services with BTTB. In that case private sectors will be encouraged to build on and operation services communication services in direct competition about which I have already mentioned.

We all also expect that generally there is no representation to speak out for the consumers' grievances against the product or services. Although Consumers Association of Bangladesh (CAB) serves the purposes some times to influence the government and businessmen to respect the consumer rights and interests. The Government of Bangladesh had long been contemplating to formulate an ICT policy and finally with the cooperation of the business community it has been formed, but no consumers group or representative was invited to take part in the policy making.

No doubt to enrich the quality of life, to make socially and economically a powerful nation, livelihood is to be enriched. We will have to accept the challenge of the changing world of 21st century by using modern technologies. To raise the quality of life by creating knowledge based society, use of information communication technology is a must. These can ensure access to information by citizens of the society that in turn can enhance the sustainable economic development of the country. In the country consumer education is a far cry. There is no system or institution except CAB that deals with consumer education in the country.

In this respect I would expect from Bangladesh Telecommunication Regulatory Commission (BTRC) to come forward to educate consumer activists through training and help raise voice and put suggestions to the government to take appropriate measures where UNDP and others can play a vital role.