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Study on AADCP II Influence on Consumer Protection Policy in Select ASEAN Member States

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ASEAN – Australia Development Cooperation Program – Phase II
Supporting ASEAN in establishing the ASEAN Economic Community

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This report was prepared by Clear Horizon Consulting as part of monitoring and evaluation of the ASEAN-Australia Development Cooperation Program Phase II (AADCP II). It is produced to facilitate a better understanding of AADCP II contribution to consumer protection policy and practices in ASEAN. The views and recommendations mentioned in this paper do not necessarily represent or are not necessarily endorsed by the AADCP II nor by relevant agencies in ASEAN Member States.

Acronyms & Abbreviations

AADCP II	ASEAN-Australia Development Cooperation Program Phase II
AEC	ASEAN Economic Community
AIPEG	Australia Indonesia Partnership for Economic Governance
AMS	ASEAN Member States
ASEAN	Association of Southeast Asian Nations
CCPID	Competition, Consumer Protection & IPR Division of ASEAN Secretariat
CP	Consumer Protection
CPA	Consumer Protection Act
CPAB	Consumer Protection and Advocacy Bureau
CPD	Continuing Professional Development
CWD	Consumer Welfare Desk
DCE	Directorate of Consumer Empowerment
DTI	Department of Trade and Industry
FTEB	Fair Trade and Enforcement Bureau
GoI	Government of Indonesia
GoP	Government of Philippines
GoT	Government of Thailand
KPI	Key Program Informant
MoU	Memorandum of Understanding
MoT	Ministry of Trade
NCPA	National Consumer Protection Agency
NS	National Strategy
OADR	Online Alternative Dispute Resolution
OCPB	Office of the Consumer Protection Board
PRB	Professional Regulatory Board
PRC	Professional Regulatory Commission
ToC	Theory of Change
TRTA 3	Trade Related Technical Assistance Phase 3
YLKI	Yayasan Lembaga Konsumen Indonesia

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EXECUTIVE SUMMARY

ASEAN-Australia Development Cooperation Program Phase II (AADCP II) is a long-term (2008-2019) program (valued up to AUD\$ 57 million) that supports Association of Southeast Asian Nations (ASEAN) efforts to implement its post-2015 ASEAN Economic Community (AEC) agenda. It builds on the first AADCP program that was completed in June 2008. Consumer Protection (CP) is one of nine work streams of AADCP II. It aims to support ASEAN's efforts to implement the AEC Blueprint's strategic measures for CP by supporting the ASEAN Committee on Consumer Protection (ACCP) to provide better CP guidance to ASEAN Member States. The ACCP oversee implementation and monitoring of regional mechanisms to foster the development of consumer protection in ASEAN.

AADCP II is implemented through a close partnership with ASEAN, with all decisions on strategic direction and operations made jointly. All AADCP II projects are initiated by ACCP and the ASEAN Secretariat (ASEC). The program's key implementation partner for CP is the Consumer Protection & IPR Division of ASEAN Secretariat (CCPID). CCPID works directly with focal points from all ASEAN Member States (AMS) who represent their country on the ACCP, and are the primary stakeholders of ASEC projects. ACCP identify activities and may influence implementation and utilisation of project results by AMS. They are the bridging point for implementing regional priorities at the national level.

The purpose of this episode study was to understand if and how AADCP II has contributed to influencing changes in consumer protection policy and practice in three AMS: Thailand, Indonesia and Philippines. The study examined AADCP II's influence and contribution at two levels- (i). the direct stakeholder level- ACCP members and other respective agencies and (ii) and the consequent contribution of ACCP to other agencies. This study includes evidence from interviews with ACCP members, NGOs, CCPID and AADCP II project staff, as well as a desktop review. While the research team acknowledges certain data limitations, where possible the evidence was triangulated to strengthen the analysis and findings.

Findings from the study indicate that there are **instances of improved knowledge and stakeholder awareness of ACCP members** in all three countries that is supporting informed policy-making. For example, in Indonesia, the Directorate of Consumer Empowerment (DCE) used the AADCP II case study on unfair contract terms to provide recommendations to its Government on ways to amend their CP law, and Philippines is using the Lemon Law¹ from Singapore to review their existing Lemon Law. Further, AADCP II support has **built the capacity of ACCP in consumer protection**. For example, in Thailand, the Office of the Consumer Protection Board (OCPB) used information from AADCP II materials to design some of their national public awareness projects. Furthermore, while AADCP II does not engage directly with ACCP, this study found instances of ACCP members influencing the work of other agencies in their own countries. In summary, progress across key result areas (improved knowledge, awareness and capacity) and observations of improved ACCP quality and utility of consumer protection guidance suggests that there is moderate evidence that **AADCP II has contributed to improvements in ACCP in the three countries**.

This episode study identified various lessons learned from the three AMS that can be generalised for future activity planning. One lesson was that countries have benefited from the regional nature of AADCP II by understanding and having access to research, standards and best practices from ASEAN which have helped them to benchmark and track their progress against other AMS. Notwithstanding, some KPIs emphasised the need to acknowledge the varied absorptive capacity across AMS to utilise AADCP II products, developed at the regional level, for future project planning.

¹ Singapore Lemon Law protects consumers from retailers who sell defective goods.

1. INTRODUCTION

AADCP II is a long-term program (2008-2019), valued at up to AUD\$ 57 million, that supports ASEAN's efforts to implement its post-2015 AEC agenda. It builds on the first AADCP program that was completed in June 2008. Consumer protection is one of nine work streams of AADCP II and aims to support ACCP to provide a better quality and utility of consumer protection guidance through improved knowledge and evidence base, stakeholder awareness and improved capacity of ACCP members. It is expected that ACCP's improved knowledge, awareness and capacity on CP issues will contribute to more effective economic integration across AEC.

AADCP II is not a traditional program but a grant facility. It does not create or initiate projects and only supports regional projects endorsed by ASEAN Sectoral Bodies such as ACCP and referred through ASEC. AADCP II has limited access to ACCP and works directly with its implementation partner, CCPID, who engages with ACCP. Given AADCP II's partnership modality, it has limited ability to influence projects and project outcomes. ACCP members are the bridging point for implementing regional priorities set by ACCP in their respective countries. Regional priorities are not always a national priority for AMS and may not be adopted into national plans. Moreover, neither ASEC nor ACCP have influence over developments and changes at the national level.

AADCP II supported various consumer protection projects² including needs assessments, reviews, policy papers, regional standards and educational materials, promotion initiatives, improving tools and processes and capacity enhancement.

Methodology

Three AMS were chosen by AADCP II for this episode study - Thailand, Indonesia and Philippines. AADCP II staff identified through discussions with ASEC that Thailand, Indonesia and the Philippines were in the process of amending or improving their consumer protection policy and laws using tools and guidelines supported by AADCP II. The study utilised two data collection techniques: (i) desktop review of relevant documents and (ii) key program informant interviews.

Interviews took place in country between November 9 - 17 and were semi-structured in nature. Interviews were held with ACCP members, select NGOs, AADCP II staff and an independent consultant. While the research team acknowledges certain data limitations, where possible the evidence was validated and triangulated, including with observations of CP related documents and policies, and an assessment of the strength of the evidence in relation to the findings was made.

This report is structured by country- Indonesia, Thailand and Philippines. The country case studies provide an account of the consumer protection context, the change story and a contribution statement. Sections 2 - 4 below present findings from each of the case studies.

² For detailed information on AADCP II projects, see link: <http://aadcp2.org/technical-reports/consumer-protection/>

2. INDONESIA

2.1. Context

Indonesia is one of the fastest growing economies in Asia³. Due to the importance of its large consumer base generating positive domestic demand for its economic growth, a strategic consumer protection agenda has been well established in the country since 1999⁴. The AADCP II Final Indonesia Country Report did a general analysis of Indonesia's Law No. 8/1999 on Consumer Protection using Wood's (1996) Consumer Laws Matrix, which is based on the parameters of the eight consumer's rights⁵. The analysis suggests that the Law contains strong provisions protecting consumers of their rights to safety, to be informed, to choose, to redress, and to consumer education. However, provisions relating to protecting consumers of their rights to healthy environment and to the satisfaction of basic needs seem to be lacking, which may need to be addressed through appropriate amendments⁶. Since its enactment in 1999, the government of Indonesia (Gol) has not amended their CP law. Key areas that require amending include addition of regulations for unfair contract terms and in general supporting capacity building of officials.

2.2. Change Story

When the Consumer Protection Policy activities under AADCP II commenced in August 2010, Indonesia already had a well-established general consumer protection policy regime in place. The study identified four instances of policy and practice change in Indonesia since the AADCP II consumer protection activities commenced in August 2010. These are listed below:

Current Review of the Consumer Protection Law No. 8/1999

Indonesia is currently reviewing its Consumer Protection Law No. 8/1999 to provide better coverage to consumers against the eight consumer rights. The law has many gaps and some areas are no longer relevant or cannot be implemented. Moreover, one KPI remarked that the current law doesn't regulate unfair contract terms and covers only standard clauses in contracting. They also noted that DCE has provided recommendations to the Gol on amending the existing CP law to include provisions for unfair contract terms. It was noted by DCE staff during interviews that DCE used the AADCP II case study on unfair contract terms to develop their recommendations. Revising the existing law to include unfair contract terms and better aligning it with relevant and existing societal needs will be beneficial to citizens and may provide consumers more assurance in their choices.

This episode study found that there is moderate evidence to support a significant contribution of AADCP II on DCE's work. Given that the program aims to support ACCP to provide better quality and utility of CP guidance, we argue that DCE was able to provide more informed guidance to Gol on unfair contract terms due to its access to the AADCP II Case Study on Regulating Unfair Contract Terms in AMS. The research team suggests monitoring the progress and outcome of the amendment of the Consumer Protection Law No.8/1999 to ascertain whether the AADCP II recommendations are in fact adopted by Indonesia, which could demonstrate ACCP's contribution to the process and a plausible link between AADCP II activities and a key policy change in consumer protection in Indonesia.

³ Roadmapping Capacity Building Needs in Consumer Protection in ASEAN- Country Report Indonesia Final, 3 June 2011

⁴ Roadmapping Capacity Building Needs in Consumer Protection in ASEAN- Country Report Indonesia Final, 3 June 2011

⁵ 8 consumer rights: right to safety; right to be informed; right to choose; right to be heard; right to redress; right to consumer education; right to a healthy environment; and the right to the satisfaction of basic needs

⁶ Roadmapping Capacity Building Needs in Consumer Protection in ASEAN- Country Report Indonesia Final, 3 June 2011

National Strategy for Consumer Protection

Prior to 2017, Indonesia did not have a consolidated National Strategy on Consumer Protection. The Ministry of Planning (BAPPENAS) led the development of a 3-year strategy 2017-2019 with inputs from the DCE/MoT, National Consumer Protection Agency (NCPA) and others. BAPPENAS commenced work on the strategy in late 2014 and the strategy was finalised by a presidential decree in April 2017. Until then, every agency had their own consumer protection programs.

The AADCP II activity, ASEAN Strategic Action Plan for Consumer Protection (ASAPCP) 2025 was finalised between May and August 2015. During interviews, DCE staff noted that based on the ASAPCP document, BAPPENAS attempted to adopt a similar method of thinking and organizing the Indonesian National Strategy on Consumer Protection (NS). The ASAPCP 2025 was used as a guide and a reference material by both DCE (when they provided recommendations to BAPPENAS on the strategy) and by BAPPENAS when they developed the final strategy. It was noted by KPIs during the interviews that the structure (outline and format, but not necessarily content) of the National Strategy is similar to ASAPCP 2025.

BAPPENAS also received additional support with the strategy from other internal and external groups. BAPPENAS themselves identified existing national priorities on consumer protection through social media and consumer complaints. Moreover, NCPA provided recommendations to BAPPENAS on the strategy, along with another Australian Government funded bilateral program, Australia Indonesia Program for Economic Governance (AIPEG), which undertook two studies- diagnostic study on consumer protection in Indonesia (2015) and a needs assessment on CP in Indonesia (2016). One KPI noted that all of these components, including AADCP II, complemented one another and helped in the development of the National Strategy, fast-tracking the process.

The study found that there is moderate evidence to support a significant contribution of AADCP II to DCE's work with BAPPENAS on the national strategy. The evidence also suggests that ASAPCP 2025 complemented internal knowledge and priorities identified by BAPPENAS along with support from NCPA and AIPEG which allowed BAPPENAS to develop the National Strategy for consumer protection. **The study contends that AADCP II support was an important factor, among other factors, that influenced the development of the Indonesian National Strategy on CP.**

Consumer Empowerment Index

Before 2015 Indonesia was not systematically measuring consumer knowledge and empowerment. A Consumer Empowerment Index (CEI) was developed in 2015 and has been used in 15 provinces up until end of 2017 to understand how consumer knowledge on CP is changing. This may help the government ascertain whether their awareness programs and other initiatives are effective, and can perhaps offer insights into areas for further work or improvement. **KPIs noted that AADCP II provided DCE with the idea that consumer knowledge/education on CP could and should be measured.**

The AADCP II Project- Development of Public Awareness Models for Consumer Protection, commenced in December 2013 and was completed in April 2016. This provided AMS with three consumer awareness models (Basic, Advanced and Best-Practice). The Guidelines report provided AMS advice on how to design, implement, monitor and evaluate a national education program. The report noted that it was crucial for the evaluation step to be considered from the beginning through to the end. KPIs noted that a take away for them was that the most advanced consumer education programs should measure the impacts which contributed to the concept of the CEI.

The CEI, which was informed by the AADCP II Public Awareness Model, will allow the GoI to understand the effectiveness of their consumer education programs and help them revisit the programs as needed. This could promote an evidenced-based decision-making and learning culture within government agencies coordinating CP efforts. It was noted during interview that DCE also received help from an academic from the Institute Pertanian Bogor (IPB) (Bogor Agricultural University) with regards to the CEI. **The evidence from the study suggests that arguably AADCP II played a role in helping DCE develop the concept of the CEI in Indonesia.**

Consumer Complaint Handling

Currently, not all business groups (e.g. food and drug) from the nine priority sectors identified in the Indonesian National Strategy have their own consumer complaint and redress mechanisms. The AADCP II Consumer Complaint and Redress Model study, completed in January 2014, highlighted self-regulated complaint handling and redress mechanisms as a best practice which is also in line with Indonesian CP law. Furthermore, one key program informant noted that during the first implementation period of the National Strategy (2017-2019), DCE will focus on advocating and encouraging companies working in those nine sectors, to establish their own complaint handling mechanisms. **The information from the AADCP II study provided evidence and impetus to DCE to bolster their ongoing advocacy efforts with business sectors to encourage them to establish a private-led model of consumer complaint and redress handling.**

2.3. Overall Findings

Overall findings from the Indonesia case study demonstrate that there is **moderate evidence of significant contribution of AADCP II to the ACCP member from Indonesia, DCE. There is also evidence of BAPPENAS taking on recommendations from DCE and using AADCP II materials to develop the Indonesian National Strategy on CP.** Various program activities and products, as detailed above, helped increase the knowledge and evidence base for DCE which not only informed DCE's own work on CP, but also supported them to provide more informed and evidence-based guidance to other government agencies such as BAPPENAS and Otoritas Jasa Keuangan (OJK) (Financial Services Authority)⁷.

⁷ DCE shared AADCP II Training modules with the Central Bank, OJK and Ministry of Health.

3. THAILAND

3.1. Context

Thailand is one of the strongest ASEAN countries regarding CP and has well-developed mechanisms for protecting the interests of Consumers through different laws, programs and initiatives. Legal instruments for advancing consumer areas that are of interest to ASEAN economic integration, such as product safety and labelling, telecommunication and e-commerce, finance and banking, environment, healthcare and professional services are already in place⁸. A general analysis on Consumer Protection Act of 1979 was made against Wood's (1996) Consumer Laws Matrix (Appendix 6 of the Road mapping study report), which is based on the parameters of the eight consumer rights. The analysis suggests that the CPA contains strong provisions protecting consumers of their rights to safety, to be informed, to choose and to redress. However, provisions relating to consumer education and establishing mechanisms to monitor consumer awareness would need to be strengthened.

3.2. Change Story

The study identified two key instances of AADCP II products being used and referenced by Office the Consumer Protection Board (OCPB) in their activities. OCPB is the government agency in charge of consumer protection in Thailand whose staff also serve as member and focal points of ACCP. These are listed below:

Public Awareness Campaigns

The End of Project Review for the AADCP II Technical Competency activity noted that Thailand has disseminated the modules⁹ developed by the program to relevant stakeholders, uploaded the documents on the OCPB website, translated and presented the modules to its Parliamentary Sub-Committee on Consumer Protection. During the interviews, staff from OCPB noted that these modules were very useful as resource materials and that documents such as these weren't available elsewhere in Thailand.

Moreover, OCPB noted that these modules helped support their awareness raising activities with high schools and universities. As part of their public awareness raising project, OCPB held four seminars with universities across Thailand. The first two seminars focused on Supporting Consumer Protection Knowledge in the Digital Era, against "Sustainable Consumption and the last two on Enhancing International Collaboration for ASEAN consumer redress. The aim of these seminars was to raise awareness and educate university students on CP so that they were better able to extend this knowledge to their communities and social networks.

OCPB used techniques and information that were highlighted in the AADCP II Public Awareness Models and the Teaching Modules to run their seminars which they only had access to through the program. The Public Awareness Model noted that *"one means of evaluating public awareness models would be to use focus groups, or review workshop, with key implementers and project partners. This is a useful way to include external stakeholders and to*

⁸ Roadmapping Capacity Building Needs in Consumer Protection in ASEAN- Country Report Thailand Final, 3 June 2011

⁹ AADCP II developed modules on: product safety and labelling; phone and internet services, and e-commerce; consumer credit and banking; environment; healthcare services; and professional services

build networks and partnerships.” The report also included a particular case study on consumer education programs in South Africa including a pilot program with final year students from 41 teaching schools. The pilot program used focus group workshops to help students to understand their rights and responsibilities when buying financial products. The Public Awareness Model and the case study influenced how OCPB conducted the aforementioned seminars which included using focus groups and case studies.

This study contends that there **is moderate evidence to suggest that the AADCP II public awareness model and technical modules influenced OCPB’s work** by providing reference material and knowledge, not available elsewhere, which helped inform OCPB’s consumer protection campaigns with the four universities.

During interviews, some KPIs noted that Thailand recently amended various CP Acts such as the Direct Sales and Direct Marketing Act to provide consumers more protection while allowing ethical businesses to flourish at the same time. OCPB undertakes public hearings when developing recommendations for policy changes, and amendments to these Acts reflect public hearing outcomes. There was no information from the interviews or desktop reviews to suggest that OCPB used any AADCP II materials and products to supplement the outcomes of the public hearings when developing their recommendations for these policy amendments.

3.3. Overall Findings

Overall findings from Thailand suggest that **AADCP II helped advance OCPB’s public awareness campaigns with four universities across Thailand.** While this is not considered a significant reach, the evidence shows that students who attended the four OCPB seminars were exposed to materials and information developed by AADCP II. Student feedback around the seminars was that case studies and other information/materials presented during the workshops could have better uptake if presented in visual forms, such as through YouTube, cartoons, and animation.

4. PHILIPPINES

4.1. Context

Philippines has had a general consumer protection law called the Consumer Act of the Philippines or Republic Act No. 7394 since February 1992. Its scope is very comprehensive and was based on reviews made on existing consumer legislations in other countries as well as already existing consumer protection-related laws in the country¹⁰. The Act has led to a number of programs and projects, which increased awareness on consumer rights and advanced consumer welfare. Department of Trade and Industry (DTI)/ Consumer Protection and Advocacy Bureau (CPAB) is the key Government agency in charge of coordinating consumer protection activities across the country and serve as member of the ACCP. The Philippines Country Report identified certain areas for further improvement and highlighted loop-holes in CP laws, policy and practice in Philippines. In particular, the report noted that there was no specified timeframe for consumer complaint handling and resolution in the current practice and that there was a need to strengthen laws around e-commerce.

4.2. Change Story

This study identified four key instances of AADCP II activities influencing CPAB’s work. These are listed below:

Consumer Protection Advocacy Efforts

The country report provided CPAB with a good overview of key areas for improvement in consumer protection in the Philippines. It supported CPAB to prioritize activities in their own planning as discussed in this section below. The report also helped validate and highlight existing CP practices that were working well in the Philippines and allowed the Government to use this ASEAN acknowledgement as an advocacy tool. For example, it **helped CPAB further strengthen its advocacy efforts to promote the Bagwis Program to both consumers and businesses**¹¹.

Another CP practice strengthened by CPAB’s advocacy efforts is the more effective use of existing self-regulated redress mechanisms such as the Consumer Welfare Desks (CWD) to file complaints in the first instance. The AADCP II Complaint and Redress Model highlighted the importance of having self-regulated consumer complaint mechanisms, which was identified as a good practice in other countries. This provided impetus to CPAB to bolster their advocacy efforts to promote a private-led model of consumer redress¹². Prior to 2014, the Performance Governance Scorecard of CPAB didn’t include CWDs. By incorporating CWDs in CPAB’s internal performance measure, it is likely to ensure that they are prioritized in the Bureau’s activities and that its performance is assessed against advocating and progressing CWDs with existing and additional business associations. CWDs are an important step to providing consumers with more efficient responses and resolution to their complaints without having to include the government.

¹⁰ Roadmapping Capacity Building Needs in Consumer Protection in ASEAN- Country Report Philippines Final, 3 June 2011

¹¹ Bagwis is a business recognition program run by DTI which provides the CPAB seal of approval to business establishments that practice fair business ethics and uphold consumer rights and welfare. This was acknowledged by the AADCP II Country Report- Philippines to be a best practice in consumer protection in the country.

¹² One KPI noted that while CWDs have been around in the Philippines since 2006, they were not being availed by consumers. CWDs are a key part of the Bagwis program. To receive a Bagwis seal, businesses need to have a CWD in place. CPAB noted during interviews that DTI data show that CWDs complaint resolution rate is at 99% with only 1% of complaints going through the government.

Another recommendation taken on board by CPAB from the Complaint and Redress Mechanism Models was to incorporate a specific timeline within which consumer complaints needed to be handled and resolved. Before 2013 there was no prescription in the CP law/policy on a timeframe for resolving consumer complaints. **By using these recommendations, CPAB promoted, and eventually issued a regulatory department order to incorporate a specific timeline for consumer complaint handling.** The addition of a timeline for resolving complaints will provide more efficient response times to consumers.

Given the information provided, the study contends that there is **moderate evidence to support a significant contribution of AADCP II on the work of CPAB/DTI in its consumer protection and advocacy efforts.**

Online Alternative Dispute Resolution (ODR) System

Prior to October 2017, CPAB's internal Strategic Action Plan did not include an Online Alternative Dispute Resolution system. An OADR system allows AMS to file CP related complaints online. During interviews, CPAB noted that internal discussions on OADR commenced in mid-2016 and that the **ASAPCP 2025 provided robust background and reference material for them to develop their own action plan for an OADR system.** CPAB were also able to determine targets/deliverables for the upcoming years and are focusing on having established in place, by 2020, a national OADR system in line with ASAPCP 2025 recommendations.

Consumer Protection Practice Change and Advocacy

Participants from Philippines- CPAB, Fair Trade Enforcement Bureau-FTEB, and Professional Regulation Commission-PRC- attended AADCP II workshops which **helped them to further develop their capacity and gain knowledge on key concepts in the areas of continuing professional development (CPD) and pre-market surveillance for product safety.** The evidence from this study suggests that these allowed members of CPAB and PRC to ramp up their advocacy efforts within their own agencies and with other relevant parties, which may have added to the momentum for policy and practice change.

With the recommendations and learnings from the AADCP II workshop on the Professional Services Module, PRC was able to strongly advocate Professional Regulatory Boards (PRBs) for a Senate Bill on CPD. PRC was able to establish the importance of CPD to the PRBs. This effort then cascaded down to the professionals who were consulted with during the legislative process of the Senate Bill. While the Bill would've probably passed in the Senate eventually, PRC was able to play a role in its advocacy efforts. One KPI noted: *"I can say that because of the AADCP II training /discussions on CPD, it has helped PRC to make the Boards understand the value of the CPD. It is the Professional Regulatory Board that had the moral ascending to tell their constituency that they needed CPD. But if the Board was not convinced that CPD units were needed, then it wouldn't need to be mandatory."*

KPIs noted that with regards to Product Safety and Labelling, Pre-market surveillance was not happening in the Philippines. One interviewee remarked *"FTEB is a new agency within CPAB and found its bearing through AADCP II. FTEB attended the AADCP II workshop which opened their eyes to the idea that they should also be undertaking pre-market surveillances."* FTEB is currently undertaking further trainings on pre-market surveillance through the TRTA 3 (Trade related Technical Assistance- an European Union program).

Given the evidence provided, the study contends that there is **moderate evidence to support a significant contribution of AADCP II on the work of PRC in its advocacy efforts towards the CPD Bill.** It can also be argued that because PRC used information from AADCP II products to promote CPD to 43 professional boards, this helped communicate program recommendations to a much broader audience in the Philippines. With regards to FTEB, it can be argued that AADCP II directly influenced a practice change within FTEB to include pre-market surveillance through the workshop on Product Safety and Labelling Module.

4.3. Overall Findings

While the Philippines Government has strong CP mechanisms in place, their resources are limited. The evidence from the study suggests that they also lack access to regional and international CP standards and best practices which they received from AADCP II. It can be argued that **AADCP II helped support CPAB, PRC and FTEB to consider certain policy and practice changes with an ASEAN lens.** One KPI noted "To date, it's (AADCP II) one of our major dialogue partners" and another remarked about AADCP II support, "Don't go away." Moreover, ACCP activities and meetings also seemed to foster greater collaboration between AMS and provided a sense of pride and accomplishment for the Philippines. According to one KPI, with AADCP II support, CPAB got a better understanding of Singapore's Lemon Law which Philippines is currently using to review their existing Lemon Law for improvements.

5. Lessons Learned

There were key lessons learned from each country that may be applicable to other AMS and at the regional level, and provide further insights to AADCP II for future activity planning.

Benefit of the Regional Focus of AADCP II

Indonesia noted that AADCP II's regional focus served as a good benchmarking exercise for them. It also allowed Indonesia to compare themselves to other AMS and ascertain how they were progressing against ASEAN standards. Philippines remarked that the regional approach of AADCP II provided Philippines a platform for networking and information exchange, provided them with best practices from the region and highlighted targets and benchmarks and regional standards to work towards. It also helped them to develop networks with other AMS. Thailand provided no feedback regarding this issue. During interview, one KPI noted that the absorptive capacity of AADCP II products (developed as regional standards, models, etc.) is varied across ASEAN, and that the program should take into account this difference in capacity levels for future project planning.

More user-friendly products

Both Thailand and Philippines noted that regional products like technical teaching modules, consumer awareness models, case studies and other documents should be made available in more user-friendly and audio-visual formats to use for training and advocacy. It was noted that the current AADCP II activity to update these technical modules is well appreciated.

Social inclusion, particularly for poor women and men

The study found no evidence of specific outreach for CP regulation to expand equity of outcome and social inclusion, particularly for poor marginalised communities. While the policy improvements provide better access for all, the inherent barriers in society of marginalised and impoverished communities means they are less likely to access the CP laws. An activity that ACCP could consider pursuing with AADCP II is a study to examine the status of poor women and men with regards to consumer protection in AMS and ways to bolster efforts for better inclusion of disadvantaged groups at the regional level.

6. Data sources and limitations of this study

This episode study is based on a document review of relevant AADCP II program documents and materials from AADCP II stakeholders, in addition to interviews with 25 key program informants identified by AADCP II in consultation with CCPID¹³ and ACCP focal points. Interviews were done mostly in group settings with a few one-on-one key informant interviews. Further, due to time constraints, it was not possible to interview all relevant AADCP II stakeholders and/or key informants from other appropriate consumer protection programs and agencies to further triangulate the available evidence. AADCP II and the study team had approached other key informants to interview but did not receive responses.

¹³ The Assistant Director of CCPID was consulted with to identify KPIs.

AADCP II

ASEAN - Australia Development Cooperation Program - Phase II



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