

International Consumer Protection Enforcement Network

Strategy Plan 2021-2024¹

As more consumers participate in the global market there is a strong and growing need for the International Consumer Protection and Enforcement Network² (ICPEN) to support efforts in international consumer protection.

ICPEN is a membership organisation consisting of consumer protection law enforcement authorities from across the globe. ICPEN provides a forum for developing and maintaining regular contact between consumer protection agencies and focusing on consumer protection concerns. By encouraging cooperation between agencies ICPEN aims to enable its members to have a greater impact with their consumer laws and regulations.

Our mission

ICPEN's mission is to protect consumers by encouraging and facilitating practical action to prevent cross-border marketing malpractice. These actions include information sharing on market developments and regulatory best practice, as well as coordination and cooperation to tackle market problems.

Our vision

Our vision is for ICPEN to be recognised as the international body which promotes and facilitates consumer protection enforcement. This includes a growing level of cross-agency cooperation on consumer protection matters.

Our Strategic Plan

The Strategic Plan provides the framework to guide the Network's activities and projects. It provides a framework for decision making about priorities and evaluation and reporting on activities. The Strategic Plan envisages that workplans for particular projects will be developed under the overall strategic objectives, with clear indicators to monitor the progress that is being achieved.

The Strategic Plan sets out ICPEN's general strategies and objectives, as well as containing a set of actions that can be varied as required. ICPEN members regularly refer to the Strategic Plan to help guide new projects and revisit the plan in response to emerging issues and trends.

¹ For review by the 2023/2024 Presidency

² Formerly known as the International Marketing Supervision Network

ICPEN's Memorandum of Establishment sets out the remit of the Network, which is to share information about cross-border commercial activities that affect consumer interests and to encourage international cooperation among law enforcement agencies.

Our Strategic Objectives

1. To generate and share information and intelligence on consumer protection issues.
2. To share best practice in legislative and enforcement approaches to consumer protection.
3. To take action to combat cross-border breaches of consumer protection laws.
4. To identify and promote measures for effective consumer protection enforcement.
5. To promote and encourage wider participation, coordinated work, communication and cooperation with other consumer protection enforcement organisations.
6. To facilitate cross-border remedies.

Our Core Strategies

To achieve its objectives ICPEN will focus on the following three core strategies:

1. To *co-ordinate and co-operate* on consumer protection enforcement matters.
2. To *share information and intelligence* on consumer protection trends and risks.
3. To *share best practice information* about key consumer protection laws, enforcement powers and regulatory approaches to consumer protection.

We will achieve this by:

1. *Coordinating and cooperating* on consumer protection enforcement matters.

- Identifying and focusing on a limited set of priority issues or thematic areas for ICPEN activities to facilitate effective enforcement.
 - This may include consumer protection issues linked to privacy in the digital economy.
- Undertaking project-based work as required on the priority issues or thematic areas to facilitate:
 - Indirect coordination: where agencies work on the same issue/sector within their jurisdiction. The combined effort forms the global effort stemming from ICPEN direction;
and
 - Direct cooperation: where agencies work on or support the same case at the same time or coordinate their actions against traders whose conduct causes significant harm to consumers.
- Enhancing the effectiveness of regular Network activities, such as enhancing the use of results obtained from econsumer.gov, the Alert Mechanism and the International Internet Sweep.

- Members taking action against rogue traders based in their own jurisdiction to prevent harm to both Member country's citizens and those living elsewhere.
- Developing a strategy to coordinate enforcement actions within ICPEN.
- Ensuring a structured stakeholder's dialogue with consumer and business associations, private enterprises, academics and non-governmental advisers to increase the impact of ICPEN's work and where possible, bring insight from the relevant sectors to anticipate and predict future trends that can potentially cause harm to consumers at international scale.
- Cooperating with (governmental) regional, agency-to-agency and other international networks on intelligence, best practices and enforcement in accordance with the applicable rules on sharing of confidential information.
- Cooperating with and developing common projects with other intergovernmental organizations to increase the impact and reach of ICPEN's global enforcement efforts.
- Developing common projects with non-governmental organizations when possible, recognizing that certain limits, including legislative frameworks, may affect certain members' ability to share information or otherwise coordinate with non-governmental organizations.
- Non-governmental involvement should not negatively impact the willingness of any ICPEN Member to engage in a certain project or event.

2. *Sharing information and intelligence* on consumer protection trends and risks.

- Continuing to exchange information and intelligence on cross-border issues and cases by effectively using the capabilities of the new website and other, secure technological tools. Members will undertake to exchange as much information as possible within the Network subject to any disclosure restrictions and data protection rules.
- Members reporting current consumer protection risks/matters on a regular basis, such as current or emerging deceptive conduct, including online scams. This will include, where appropriate, identification of matters that require a cross-border enforcement or regulatory response.
- Members reporting intelligence on major market trends, emerging issues and consumer developments through the Annual Intelligence Report.
- Enhancing the effectiveness of regular Network activities, such as effectively capturing and reporting the intelligence from econsumer.gov, the Alert Mechanism, and the Internet Sweep; developing discussion papers to enhance conference sessions; and utilising webinars and the members' portal to share information on consumer trends and risks.

- Fully integrating all ICPEN members as “Level 1” econsumer.gov members to ensure efficient and effective sharing of consumer complaint information and promotion of ICPEN and econsumer.gov resources (e.g., news, alerts, and complaint trends)³.
- Fully implementing the intelligence cycle according to the Intelligence Steering Group workflow by processing and standardising relevant information from various sources, analysing the results and advising on possible measures.

3. *Sharing best practice information* about key consumer protection laws, enforcement powers and regulatory approaches to consumer protection.

- Continuing to deliver at least one Best Practices Training event each year (in person or virtually) for all ICPEN Member and non-member consumer protection enforcement agencies, directed at operational staff.
- Undertaking project-based work to develop Network best practice material (e.g. reports, guidelines, survey results) on key consumer protection enforcement and compliance methodologies, approaches or laws. The aim is to produce at least one such item each year.
- Enhancing the effectiveness of regular Network activities, such as continually improving the Best Practices Training, sharing the approaches utilised by Members for Fraud Prevention Month and acknowledging success stories through the Consumer Education Awards.
- Continually building on a library of reference information within the intranet site for Members.

Our organisational strategies and delivery mechanisms

The most important supporting strategy for ICPEN’s objectives is member participation, contribution and involvement. To that end, ICPEN encourages Members to rotate positions regularly (when practical, and where there exist other candidates, every three to six years) such as the Secretariat, Steering Group leads, the ICPEN Webmaster, the Internet Sweep Coordinator, the Fraud Prevention Month Coordinator, and the Best Practices Training Coordinator in order to achieve larger member participation.

To support ICPEN’s core strategies, the following organisational strategies and delivery mechanisms will be undertaken:

³ Noting that members would need to execute confidentiality and data security documents, and complete the survey on enforcement authority, to access econsumer.gov and cross-border individual complaint data as “Level 2” members. See Econsumer.gov - Memorandum of Understanding (April 2001).

Presidency and Advisory Group

The Presidency based on advice from the Advisory Group (AG) will:

- ensure delivery of the Strategic Plan, review selected projects and activities and update members on progress in a transparent and open way;
- use the Strategic Plan to look ahead and consider new proposals for projects or other work; and
- utilise intelligence to identify and determine the priority issue/s or thematic area/s of ICPEN focus each year, or as required to capture new or emerging issues of importance.

Each new Presidency will circulate and present its proposals for action to the AG for consideration against the Strategic Plan and provide it to Members immediately before taking up its task.

The Presidency, in delivering its annual Programme of Work, will have regard for the Annual ICPEN Cycle and any other issues likely to impact the Annual ICPEN Cycle.

Project and Working Groups

New projects will be established each year, along with ongoing project or working groups according to the following guidelines:

- Proposals for new groups will be based on intelligence or identified gaps in knowledge-sharing;
- New projects will include a reference articulating how they fit in the Strategic Plan and, if they are outside the scope of the plan, explain why they will be prioritized;
- The outcomes of ICPEN project or working groups should, where possible, be of overall benefit to ICPEN members;
- Prior to the establishment of a project or working group, concrete deliverables and a time frame to reach this goal will be identified;
- Each group will be assigned to one Steering Group for oversight; and
- Project leads will cooperate with the Fraud Prevention Month and Sweep Coordinators with regard to work pressures.

All projects and activities require a work plan, which will be considered by the Presidency based on advice of the AG and approved by the membership, which will include an evaluation mechanism.

The Enforcement, Intelligence and Best Practices Steering Groups, acting according to the Steering Group Annex to the Strategy Plan 2010-2013, are responsible for reviewing the project working group composition, workplans, progress and direction of their related project groups and to ensure the effective implementation of their work plans against the Annual ICPEN Cycle.

The Steering Group leads will coordinate among the different project and structural working groups in order to balance the workload for the membership throughout the Annual ICPEN Cycle.

The **Presidency** based on advice of the **AG**:

- can provide guidance and direction to improve or provide focus to an activity or project; and
- has the ability to recommend the closure of activities or projects for reasons including that the activity has been assessed as being completed, has met its objectives or is no longer progressing as expected by meeting milestones.

Events – physical and virtual

The Presidency, based on advice from the AG, will take the Strategic Plan and priority issue/s, thematic areas or project groups into account when planning event agendas, including but not limited to: Annual Conference/s, the Best Practices Workshop, and the High-Level Meeting to aid preparation for contribution at events. These meetings, like other events, may be held in face-to-face or digital format. Annotated agendas, presentation slides and papers, such as discussion papers, are to be provided before the event where possible.

Physical meetings will be supplemented with virtual events, to ensure the engagement of the ICPEN membership throughout the year.

Communications

The ICPEN website and members' portal (the ICPEN extranet) will play a central role in Network communications.

The Members are to take into account the *ICPEN Network Communication Principles* as outlined in the document entitled '*A Strategy for ICPEN Communication*' (December 2016) in internal and external Network communications and which ensures that ICPEN communications are as inclusive, effective and confidential as necessary.

ICPEN will encourage, facilitate and support the public acknowledgment of joint enforcement actions and outreach initiatives by its Members and/or Observers.

Keeping the Plan up to date

The Plan is subject to review and update by the ICPEN membership as required ensuring it continues to meet the priorities and needs of the Network as a whole.

Membership and growth

Members will continue to promote the benefits of ICPEN and encourage wider participation and cooperation with other consumer protection enforcement organisations taking into account the *Memorandum of Understanding* and the *Guidelines for extended ICPEN Participation and Growth* document.

The Annual ICPEN Cycle

