

**MEMORANDUM OF UNDERSTANDING AMONG CERTAIN MEMBERS OF THE  
INTERNATIONAL CONSUMER PROTECTION AND ENFORCEMENT  
NETWORK (FORMERLY INTERNATIONAL MARKETING SUPERVISION  
NETWORK) AND AFFILIATED AGENCIES ON PARTICIPATION IN THE  
“ECONSUMER.GOV” PILOT PROJECT**

The participants signing this Memorandum,

RECOGNISING the challenges posed by cross-border Internet fraud, deception, and unfairness;

RECOGNISING the desirability of more effective cross-border enforcement of consumer protection laws and regulations;

RECOGNISING the desirability of enhancing consumer confidence in cross-border e-commerce;

RECOGNISING the desirability of preventing consumer injury resulting from cross-border Internet fraud, deception, and unfairness;

RECOGNISING the existence of certain current restrictions on international government cooperation, including restrictions on information sharing; and

RECOGNISING that nothing in this Memorandum requires the participants to participate or provide support in a manner inconsistent with their respective national laws, law enforcement policies, or other important interests,

HAVE REACHED THE FOLLOWING UNDERSTANDING:

**I: Definitions**

This Memorandum uses the following definitions:

- A. “Participants” refers to the signatories to this Memorandum.

B. “Consumer Sentinel” refers to an automated database maintained by the U.S. Federal Trade Commission (“FTC”) that stores consumer complaint data and other investigatory information provided by consumers, participating law enforcement agencies, and other contributors about consumer fraud and deception.

C. “Certified Agency” refers to a government agency that: a) is engaged in the enforcement of criminal, civil, or administrative laws and regulations related to consumer protection, including consumer ombudsman’s offices, in a Participant’s country; and b) has signed an eConsumer.Gov Confidentiality Agreement, a model of which is annexed to this Memorandum (the “Confidentiality Agreement”), or is otherwise a Consumer Sentinel member as defined in the Confidentiality Agreement.

D. “eConsumer.Gov Data” consists of consumer complaints about Internet fraud and deception entered directly by consumers through the eConsumer.Gov Web site or provided by data contributors who indicate their intention to make such data available to Certified Agencies participating in the eConsumer.Gov Project.

## **II: Object and Scope of Project**

A. The Participants have decided to participate in a pilot project to develop and maintain:

1. a public Web site where consumers can find relevant consumer information materials, obtain contact information on consumer protection agencies in participating countries, and submit complaints about online and related transactions with an international component (the “Public Site”); and
2. a non-public, password protected Web site where Certified Agencies can access eConsumer.Gov Data (the “Government Site”).

B. This Memorandum is not intended to give rise to any rights on the part of any private person.

### **III. Scope of Participation**

#### **A. Public Site**

1. Each Participant intends to:

- i) Provide input regarding the content of the Public Site;
- ii) Publicize the Public Site, and provide a hyperlink to the Public Site from its own Web sites;
- iii) Provide content for country-specific Web pages (“Bridge Pages”) on the Public Site, which may consist of links to appropriate Web sites already functioning in a Participant’s country, including:
  - (1) a Bridge Page providing contact information on consumer protection authorities in the Participant’s country,
  - (2) a Bridge Page providing information about consumer protection in the Participant’s country, and
  - (3) for those countries having Certified Agencies with access to data through the Government Site, a Bridge Page providing information about how those agencies will handle such data;
- iv) Explore the possibility of providing support for translating the content of the Public Site into the language spoken in the Participant’s country; and
- v) Provide additional support as described on the signature pages of this Memorandum.

2. The FTC, which will maintain control over the content of the Public Site and the data collected, intends to:

- i) host and maintain the Public Site,
- ii) develop and make available the Public Site complaint form, and
- iii) collect the data entered through the complaint form or provided by Participants.

#### B. Government Site

1. Each Participant intends to:

- i) encourage consumer protection law enforcement officials from their countries to consider signing the Confidentiality Agreement,
- ii) explore the possibility of participating in the quality assurance process with respect to incoming complaints, to ensure the integrity of the database,
- iii) explore the possibility of providing support for translating the content of the Government Site into the language spoken in Participant's country, and
- iv) provide additional support as described on the signature pages for this Memorandum.

2. The FTC, which will maintain control over the content of and access to the Government Site, intends to:

- i) host and maintain the Government Site, as part of the Consumer Sentinel Network,
- ii) make eConsumer.Gov Data available to officials from Certified

- Agencies in accordance with the Confidentiality Agreement, and
- iii) provide aggregate statistical data culled from the eConsumer.Gov Data to Participants, including Participants who are not Certified Agencies.

#### **IV: Duration of Participation**

A. Participants expect to launch the Public Site in April 2001 in connection with the meeting of the International Marketing Supervision Network, and to implement additional aspects of the Project over the course of the subsequent months.

B. The eConsumer.Gov Project is a pilot project. Participants intend to review the efficacy and value of the Project periodically over the next 12 to 24 months, and after that determine whether the Project should be modified in any way.

C. A Participant should endeavor to provide 60 days written notice if it is ending its participation under this Memorandum.

#### **V: Language of Memorandum**

This Memorandum is signed in the English language.

**SIGNATURE PAGE FOR THE MEMORANDUM OF UNDERSTANDING AMONG  
CERTAIN MEMBERS OF THE INTERNATIONAL CONSUMER PROTECTION  
AND ENFORCEMENT NETWORK AND AFFILIATED AGENCIES ON  
PARTICIPATION IN THE “ECONSUMER.GOV” PILOT PROJECT**

Additional members of the ICPEN (formerly IMSN), and government agencies participating in the OECD Committee on Consumer Policy, may become participants in the eConsumer.gov Project by executing this Memorandum. Other government entities may become participants in the Project by executing this Memorandum as long as no Participant objects.

*Pursuant to Paragraphs (A)(1)(v) and (B)(1)(iv), the undersigned intends to:*

*Create a link to eConsumer.Gov from its own site*

*Translate the content of the public site into Portuguese.*

**Signed:**



A handwritten signature in blue ink, consisting of a large, stylized initial 'T' followed by the name 'Tercio Issami Tokano'. The signature is written over a horizontal line.

**Date:**



A handwritten date in blue ink, 'Sep, 25<sup>th</sup> 2020', written over a horizontal line.

**Name: TERCIO ISSAMI TOKANO**

**Title: Executive Secretary – Ministry of Justice and Public Security/Federative  
Republic of Brazil**