

Consumer watchdog efforts bear fruit

Safaricom mobile phone subscribers now have reason to smile after the phone company promised to refund KSh260,000 to subscribers for 53,410 failed short message services that were sent to Telkom Kenya's wireless network.

By [Carole Kimutai](#) 31 Aug 2007

On Monday, Alex Gakuru, chair of the ICT Consumers Association of Kenya circulated an email requesting petitions by consumers to assist in filing a suit against Safaricom. "It has come to our notice that Safaricom is charging but blocking SMS sent to Telkom Wireless network. Charging for undelivered goods and services is outright theft, and criminal acts under Kenya Laws," read the email.

Three days later, Safaricom CEO Michael Joseph has been quoted in a media report saying the company "received a complaint." Consumers complained that their network (Safaricom) accepts SMS from Telkom Wireless but when replying the sender receives a "message sending failed" report and money is deducted from the account.

"The important message here is not the amount to be refunded but that in principle we caught them in continued theft, forced them to own up and to agree to refund that what was stolen," says Gakuru.

He says the Communication Commission of Kenya (CCK) should put in place mechanisms that report daily failed SMS volumes from all mobile operators to pro-actively protect consumers.

A recent Gartner study says worldwide revenues from SMS reached US\$ 50b in 2006 they are expected to grow another 20% annually for the next 3-4 years and SMS volume is expected to more than double in the same period (to over 2.3 trillion messages).

ICT consumer rights activism

Carole Kimutai interviewed Alex Gakuru, chair of the ICT Consumers Association of Kenya

How did you notice the problem with the Safaricom to Telkom SMS?

On August 10, 2007 I got an email from a consumer on the ke-users list telling me there was a new voter registration confirmation service from Electoral Commission of Kenya being run from the Telkom Wireless network. As usual I tested it and found out that it worked. I shared the news with all list members and also to other KICTANET list using my own example - I was excited to know even my polling station. Later that day, I received calls from users who were complaining of difficulties accessing the service. I became suspicious and thought Safaricom could have deliberately blocked the service. I needed proof which without risking my sources and I confirmed that they were charging consumers but not delivering the SMS. That's when I blew the whistle. I thank all persons in our consumer network who helped in exposing this swindle.

What is the objective of the ICT Consumer Association of Kenya?

We are now registered awaiting certificate (via post) from Sheria house. Our vision is to have "enlightened consumers enjoying high quality and best priced ICT services." Our objective is to ensure level playing field

in that consumers receive clearly advertised ICT services and products as promised to realise value for their money without any hidden charges or strings attached.

What are some of the issues the consumer association is fighting for?

There are very many considering that ICTs themselves are still very new -talk of ICT consumer protection even newer. Our focus is the telecommunications sector because the media has been and continues to be receptive to our concerns. For example, the CEO of Nation Media Group Linus Gitahi immediately responds to any concern we raise. Telcos CEOs on the other hand are impossible and never reply email or call us back - unless a lawsuit is looming.

We are also fighting for service level agreements and delivery of paid-for services, misleading advertising providers (Telcos) malpractices e.g. on Premium Rate Services (i.e. calls at higher rates bogus competitions, etc), protection of vulnerable women and children and internet education.

We submitted a very comprehensive conceptual Framework to the Communication Commission of Kenya (CCK) for their advertised tender -Consumer Outreach Education Programs. We hope to win it to engage full protection swing. Should we win, bad Telcos providers should have a reason to be afraid but also it would be most welcome to their earnest providers making little margin because they deliver on their promises.

Do you think Kenyan consumers know their rights?

Absolutely not! They hardly know much if at all anything. We have to educate and protect at the same time. Civil society tends to over-focus on international high-flying issues such as "Internet Governance" while local internet service delivery quality and local cost are unfair to their people. They appear more technically challenged on the issues so we step in and collaborate with many of them on the tech side.

The international Commission of Jurists Kenya Section is a big friend not just a consumers' partner in ensuring they receive justice prevails in the communications/e-space.

ABOUT CAROLE KIMUTAI

Carole Kimutai is a writer and editor based in Nairobi, Kenya. She is currently an MA student in New Media at the University of Leicester, UK. Follow her on Twitter at @CaroleKimutai. View my profile and articles...

For more, visit: <https://www.bizcommunity.com>