Trade agreements and electronic commerce

The users' perspective

Jeremy Malcolm

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Setting the Scene

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- Opening questions:
  - What is the scope of the electronic commerce rules?
  - What institutions are competing to address them?
  - How relatively accessible are they to Internet users?

Mapping Out E-Commerce Issues at the WTO

Regulatory Frameworks	Open Markets
• Enhanced transparency	• Liberalisation commitments
• Consumer confidence enhancement	• Measures ensuring openness
• Trade facilitating measures	

Initiatives facilitating the development of e-commerce

Enhanced transparency of the multilateral trading system

Source: (Adapted from) WTO document JOB/GC/116

Mapping Out E-Commerce Issues at the WTO

Regulatory Frameworks

- **Enhanced transparency**
- **Consumer confidence enhancement**
- **Trade facilitating measures**

Open Markets

- **Liberalisation commitments**
- **Measures ensuring openness**

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Enhanced transparency of the multilateral trading system

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- All but "liberalisation commitments" are novel
- Trade *negotiation* transparency missing here

Some Trade Negotiations and Institutions

Regional/plurilateral

TPP

- Data localization
- Software source code
- Crypto standards
- Spam control
- Domain name rules
- Net neutrality
- Data protection (weak)

RCEP

NAFTA

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RCEP

NAFTA

Multilateral

WTO

- Many proposals
- Non norm-setting

TISA

- Intermed. liability

UNCTAD

Multi-stakeholder

OECD

ICANN, IGF

How Accessible Are These to Internet Users?

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- Trade Transparency Roundtable recommendations (2017)

- IGF Dynamic Coalition on Trade and the Internet (2017)

Panelists

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