



The 3 Cs of Digital Trade: connectivity, competition and collaboration

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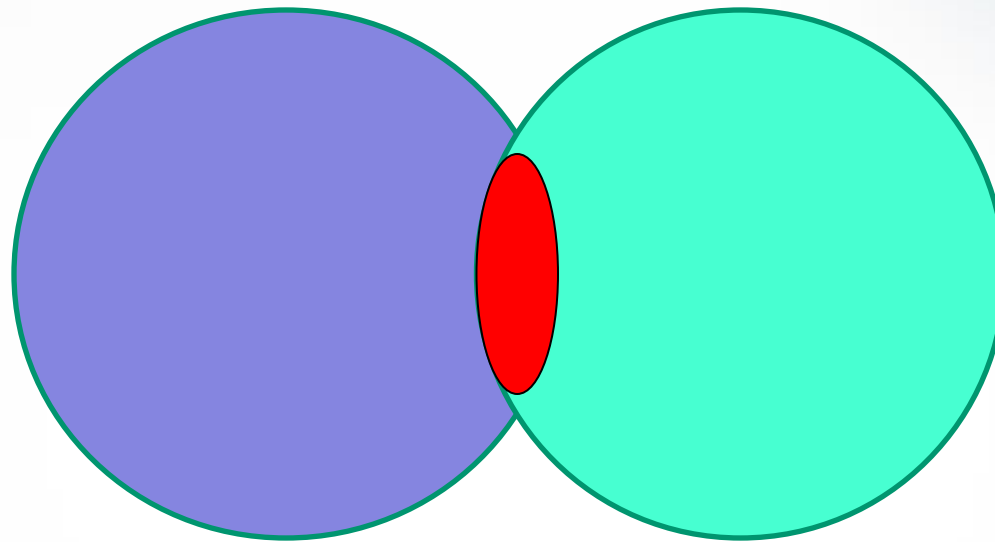


Collaboration in digital trade discussions

I - Between trade and digital policy experts and negotiators

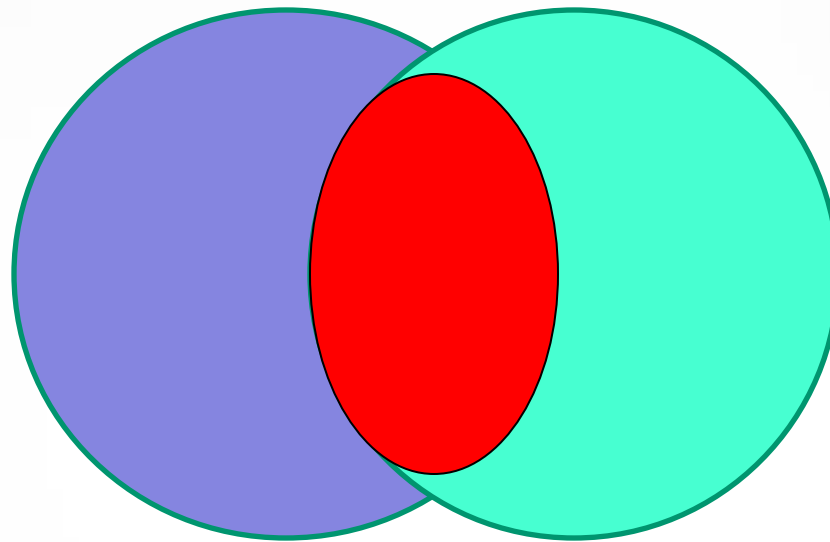
II - Between developed and developing countries in WTO e-commerce discussions

III - Promoting capacity building



DIGITAL

TRADE



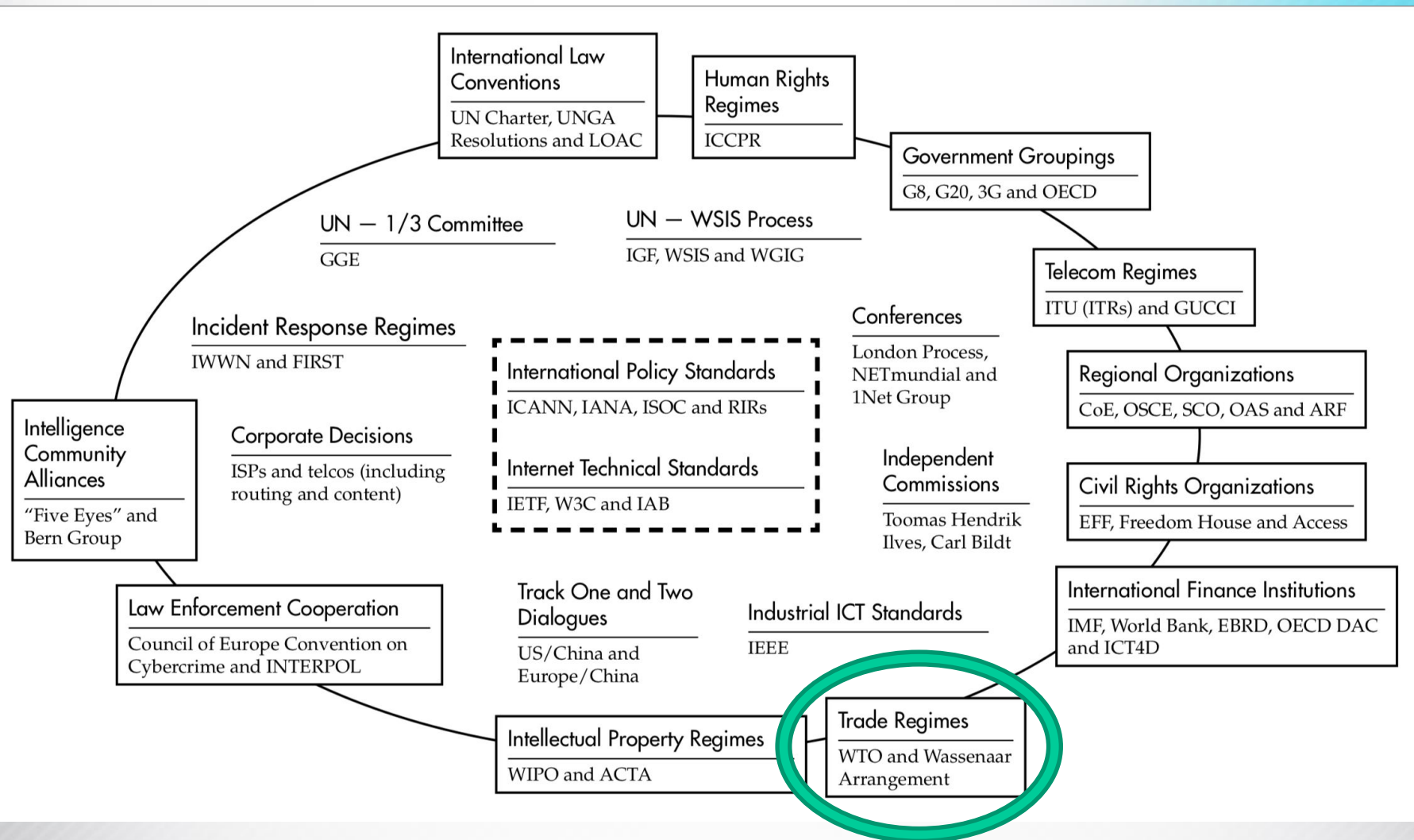
DIGITAL

TRADE

A growing number of digital issues in trade discussions

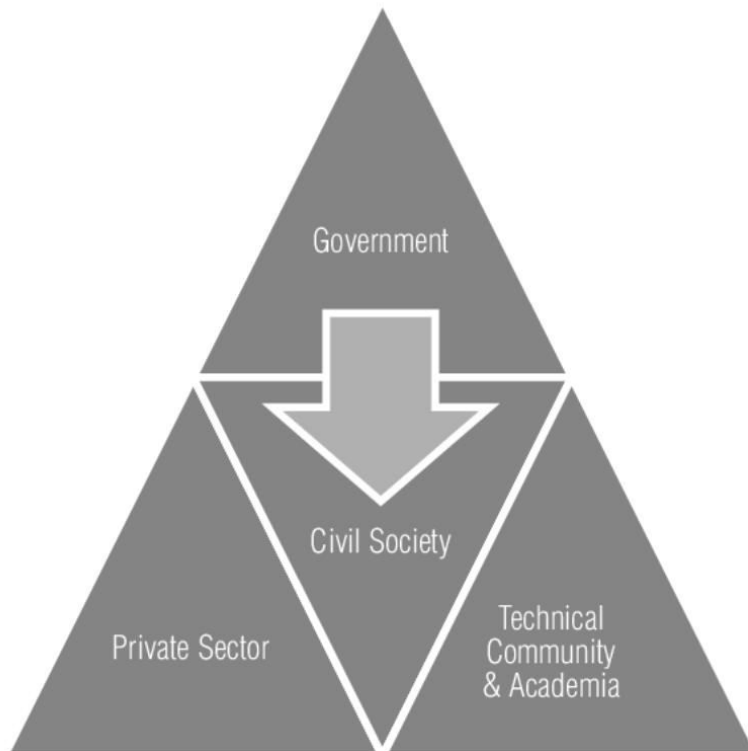
- Electronic signatures and authentication
- Liability
- Data flows
- Localization
- Open (government) data
- Open Internet access (net neutrality)
- Online consumer protection
- Privacy and data protection
- Spam
- Access to the source code
- Cybersecurity
- Telecommunications

Regime complex



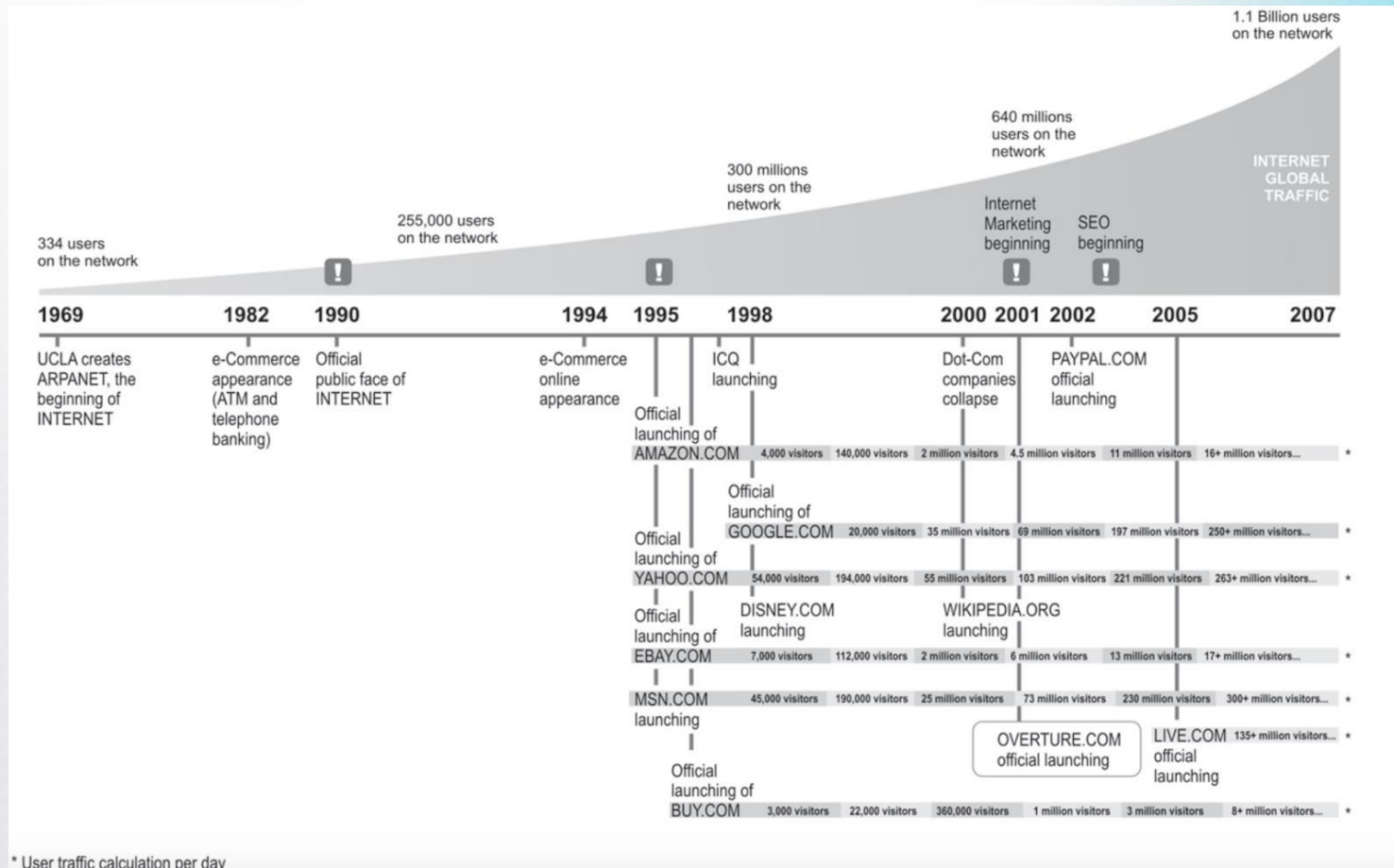
Source: Nye, 2014

Traditional model of governance



Multistakeholder model of governance





* User traffic calculation per day



JOINT STATEMENT ON ELECTRONIC COMMERCE
COMMUNICATION FROM NEW ZEALAND, CANADA AND UKRAINE

NON-PAPER

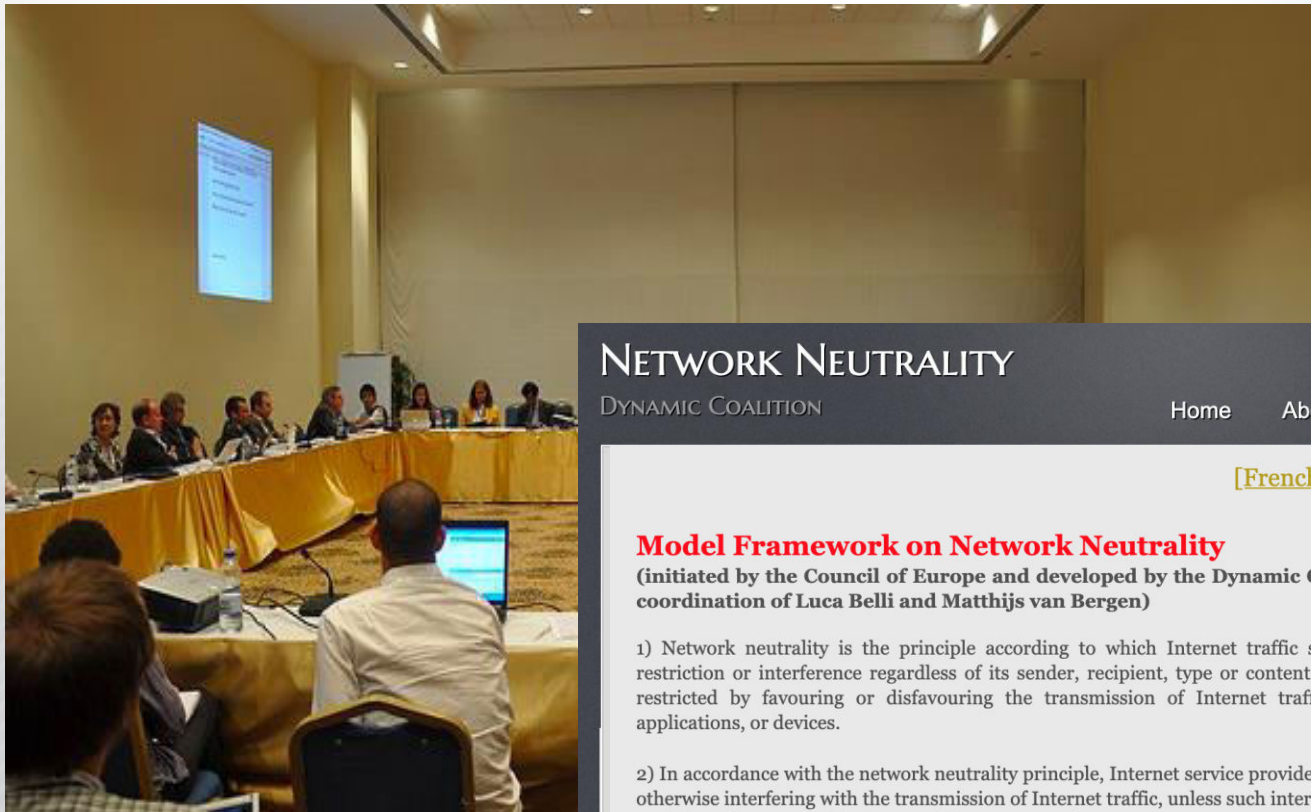
*TRANSPARENCY IN WTO NEGOTIATIONS AND APPLICATION
TO THE JSI E-COMMERCE NEGOTIATION*

Revision¹

The following communication, dated 10 February 2020, is being circulated at the request of the delegation of New Zealand.

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1. New Zealand is a strong supporter of transparency in trade negotiations and the work of the WTO. We would like to see the principle of transparency also reflected in the work of the E-Commerce Joint Statement Initiative. Specifically, we request that Members consider making our future consolidated negotiating text available publicly, rather than being restricted only to WTO Members.² Our assumption is that such a text will contain brackets but will not carry any Member-specific attributions. (In this case this distinguishes the JSI process from a RTA negotiation where party-specific attributions are the norm, which thus disclose specific negotiating positions.)
 2. We do not propose that there be any change to the handling of specific proposals from Members, where Members should continue to be free to determine if text proposals are restricted or publicly available.
 3. The appropriate timing for operationalising this proposal will depend on how the remaining process in 2019 unfolds, but if we are in a position to move to working from a single consolidated text from early 2020 that could provide an appropriate moment to make a text public.

Building upon existing processes and initiatives



NETWORK NEUTRALITY

DYNAMIC COALITION

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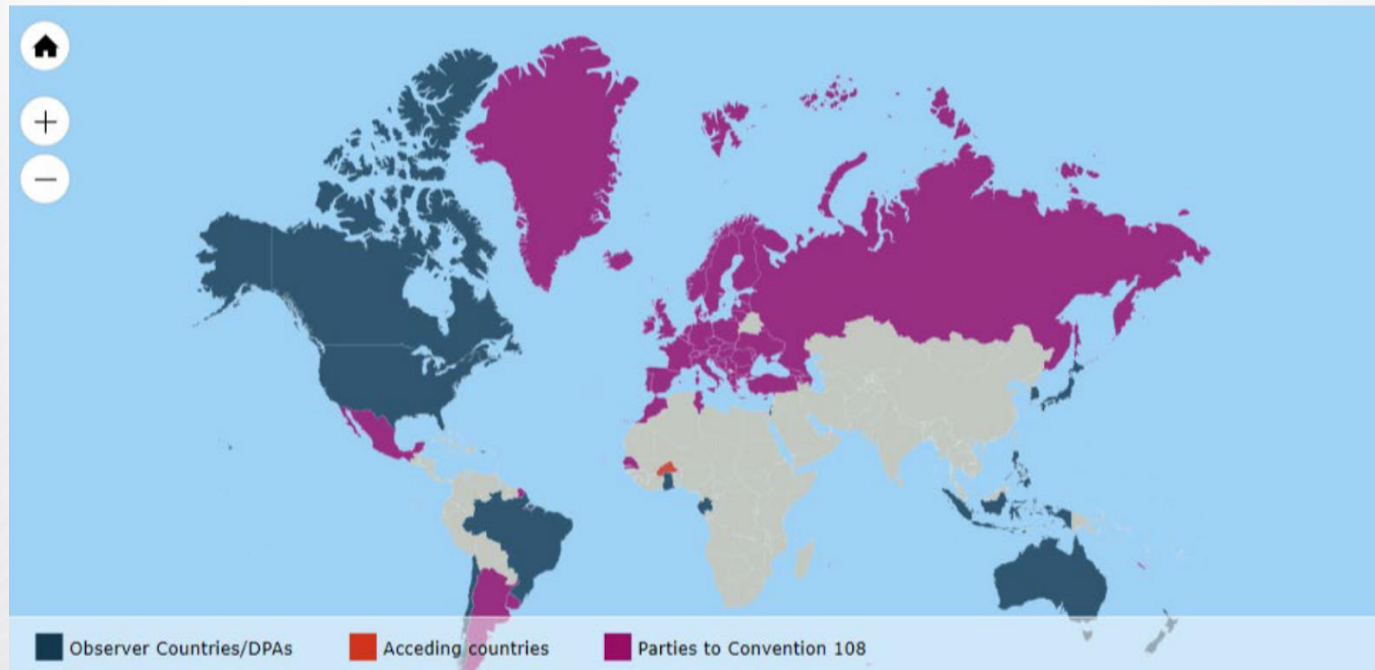
Model Framework on Network Neutrality

(initiated by the Council of Europe and developed by the Dynamic Coalition on Network Neutrality, under the coordination of Luca Belli and Matthijs van Bergen)

- 1) Network neutrality is the principle according to which Internet traffic shall be treated equally, without discrimination, restriction or interference regardless of its sender, recipient, type or content, so that Internet users' freedom of choice is not restricted by favouring or disfavoursing the transmission of Internet traffic associated with particular content, services, applications, or devices.
- 2) In accordance with the network neutrality principle, Internet service providers shall refrain from discriminating, restricting, or otherwise interfering with the transmission of Internet traffic, unless such interference is strictly necessary and proportionate to:
 - a) give effect to a legislative provision or court order;
 - b) preserve the integrity and security of the network, services and the Internet users' terminal equipment;
 - c) prevent the transmission of unsolicited communications for direct marketing purposes to Internet users who have given their prior consent to such restrictive measures;
 - d) comply with an explicit request from the subscriber, provided that this request is given freely and is not incentivised by the Internet service provider or its commercial partner;
 - e) mitigate the effects of temporary and exceptional network congestion, primarily by means of application-agnostic measures or, when these measures do not prove efficient, by means of application-specific measures.
- 3) The network neutrality principle shall apply to all Internet access services and Internet transit services offered by ISPs, regardless of the underlying technology used to transmit signals.

Building upon existing processes and initiatives

Convention 108+



Strengthening collaboration between developed and developing countries

Albania	El Salvador	Liechtenstein	Romania
Argentina	Estonia	Lithuania	Russian Federation
Austria	Finland	Luxemburg	Saudi Arabia
Australia	France	Malaysia	Singapore
Bahrain	Georgia	Malta	Slovak Republic
Belgium	Germany	Mexico	Slovenia
Benin	Greece	Moldova	Spain
Brazil	Guatemala	Mongolia	Sweden
Brunei Darussalam	Honduras	Montenegro	Switzerland
Bulgaria	Hong Kong, China	Myanmar	Taiwan, Penghu, Kinmen and Matsu
Burkina Faso	Hungary	Netherlands	Thailand
Cameroon	Iceland	New Zealand	Turkey
Canada	Indonesia	Nicaragua	Ukraine
Chile	Ireland	Nigeria	United Arab Emirates
China	Israel	North Macedonia	United Kingdom
Colombia	Italy	Norway	United States
Costa Rica	Japan	Panama	Uruguay
Côte d'Ivoire	Kazakhstan	Paraguay	
Croatia	Kenya	Peru	
Cyprus	Korea	Philippines	
Czech Republic	Kuwait	Poland	
Denmark	Lao	Portugal	
Ecuador	Latvia	Qatar	

Arguments from developing countries that did not join the JSI

- The WPEC is the 'home' for e-commerce discussions and should be invigorated instead
- There are unresolved issues that need to be tackled first (ex. services classification, technological neutrality, whether electronic transmissions are goods or services)
- Many developing countries do not have regulation on the national level – no blueprint to guide negotiators.
- WTO rules on e-commerce would constrain domestic 'policy space'
- Insufficient mainstreaming of development issues within JSI
- The Doha Development round should focus on issues that could have the most impact on development (ex. agriculture).
- Proposed e-commerce norms at the WTO are expanding into Internet/digital governance

Arguments from developing countries that joined the JSI

- Rule takers x rule makers
- The only way to mainstream development is to make development-oriented proposals within the process
- Multilateral norms could accelerate the approval of national frameworks

JSI - text proponents (INF/ECOM/57)

JSI participation



■ Active with text proposals ■ Not active with text proposals

JSI - text proponents (INF/ECOM/62)

JSI participation



■ Active with text proposals ■ Not active with text proposals



INF/ECOM/65

Joint statement on electronic commerce - Communication from Nigeria - Proposal on flow of information

[Access: Restricted](#) | 15/06/2021 | 136 KB | Pages: 9 | Doc #: 21-4901



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Trade Dialogues Lecture/Webinar Series

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Digital Commerce (just-in-time course)

This course provides an interdisciplinary coverage of digital commerce, from both digital and trade perspectives. It builds the knowledge and capacity of participants to engage in digital commerce-related negotiations and discussions on the multilateral and bilateral levels. It is aimed at diplomats, in particular those based in Geneva, staff of trade-related international organisations, and capital-based officials, from developing countries and least developed countries (LDCs). The course is offered by DiploFoundation (Diplo), [CUTS International Geneva](#), the [International Trade Centre](#) (ITC), and the [Geneva Internet Platform](#) (GIP).

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