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TRADE AND DEVELOPMENT BOARD  
Commission on Enterprise, Business Facilitation  
Facilitation and Development  
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Agenda item 3

**ELECTRONIC COMMERCE AND INTERNATIONAL TRANSPORT  
SERVICES: BEST PRACTICES FOR ENHANCING THE  
COMPETITIVENESS OF DEVELOPING COUNTRIES**

**Draft agreed recommendations**

1. In its deliberations on the impact of electronic commerce on international transport services and best practices for enhancing the competitiveness of developing countries, the Commission took note of the secretariat documents available for consideration under this item <sup>1</sup>.
2. The Commission noted the importance of electronic commerce as a vehicle for improving the efficiency of transport services and for promoting the participation of developing countries in global trade. The Commission agreed that the obstacles facing many developing countries in this context include lack of transport and telecommunication infrastructure, lack of an appropriate legal framework and lack of necessary skills of traders and providers of transport services.

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<sup>1</sup> Report of the secretariat on “Electronic commerce and international transport services” (TD/B/COM.3/EM.12/2); Report of the Expert Meeting on Electronic Commerce and International Transport Services: Best Practices for enhancing the competitiveness of developing countries” (TD/B/COM.3/38-TD/B/COM.3/EM.12/3); and a secretariat report to the Commission entitled “Electronic commerce and international transport services: Enhancing the competitiveness of developing countries (TD/B/COM.3/42).

3. The Commission accordingly made the following recommendations and invites the international community, including UNCTAD, to take into account the special needs of LDCs when implementing them.

#### **Recommendations at the national level**

4. Governments are encouraged to promote investment in transport, telecommunications and information technology infrastructure and other supporting and related services such as postal and courier services and to enter into regional cooperation agreements, as appropriate, with the aim of coordinating investment programmes in these areas.

5. Governments are urged to examine their existing legal infrastructure with a view to streamlining and adapting it to the requirements of electronic transactions. In this respect, consideration would need to be given to the existing international rules and guidelines, such as the United Nations Commission on International Trade Law (UNCITRAL) Model Laws on Electronic Commerce and on Electronic Signatures. Adopting the existing international transport treaties that allow the use of electronic transport documents would also need to be considered.

6. Governments are encouraged to simplify administrative regulations and practices, in particular customs procedures, to facilitate electronic commerce and transport operations, taking into consideration the ongoing work of international organizations such as UNCTAD, UN regional economic commissions and WTO.

7. Governments, customs, port authorities, port communities and transport operators are encouraged to undertake the necessary measures to establish port community systems and logistics platforms to facilitate the exchange of information amongst traders, service providers and administrations using international standard messages.

8. Commercial parties are encouraged to revise their existing commercial practices with respect to the use of traditional negotiable transport documents and to limit their use, whenever possible. The use of electronic alternatives to traditional transport documents should also be encouraged.

9. To ensure competitiveness and to bridge the digital divide in this field, Governments and enterprises are encouraged to facilitate and promote electronic commerce by: (a) improving connectivity and access to the Internet; (b) introducing a regulatory environment that allows for a reduction in telecommunication and Internet

charges; and (c) promoting public awareness of and education in all aspects of electronic commerce and the opportunities and benefits it offers.

10. Governments are encouraged to become model users of electronic commerce and to provide information and services electronically.

### **Recommendations to the international community**

11. The international community is encouraged to provide assistance to developing countries in order to bridge the digital divide. In this regard, the international organizations are encouraged to strengthen their legislative, technical and financial assistance to developing countries in the following areas: (a) reviewing and adapting national laws and regulations; (b) promoting awareness, and providing education and training; (c) developing transport and telecommunications infrastructures; and (d) strengthening transport and telecommunications services providers.

12. International organizations involved in electronic commerce and transport should cooperate and coordinate their activities to improve the competitiveness of developing countries' trade and transport operators.

### **Recommendations to UNCTAD**

13. UNCTAD should:

- (a) Keep under review and monitor developments relating to economic, commercial, legal and infrastructure aspects of electronic commerce affecting international transport services, and analyse the implications thereof for developing countries, and furthermore collect and disseminate this information to member countries.
- (b) Undertake studies on the use of traditional transport documents in international trade, particularly the extent to which negotiable bills of lading are necessary for modern-day international trade, and the extent to which they can be substituted by non-negotiable transport documents, such as sea waybills, and by electronic alternatives.

- (c) Develop and deliver training materials, where appropriate, and disseminate information on best practices in the field of electronic commerce and international transport services for developing countries in cooperation with relevant public and private sector organizations.
  - (d) Prepare guidelines for the establishment of model port community systems and logistics platforms in developing countries.
14. In carrying out this work, UNCTAD should maintain close cooperation with relevant actors such as intergovernmental and non-governmental organizations.