Expert Meeting on

CYBERLAWS AND REGULATIONS FOR ENHANCING E-COMMERCE:
INCLUDING CASE STUDIES AND LESSONS LEARNED

25-27 March 2015

Ways Forwad

By

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The views reflected are those of the author and do not necessarily reflect the views of UNCTAD
Ways forward

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What laws can do….

- Establish legal certainty
- Engender trust & confidence
- Encourage best practice & standards
- Effective regulatory oversight & enforcement
- Availability of redress
and its limits

• Picking technologies
• Generating innovation
• Starting businesses
• Ensuring inclusion
• Distributing the benefits of eCommerce
New challenges

• Social media
  – User generated content

• Cloud computing
  – Shared resources & location independence

• Big data
  – Algorithms & anonymization

• Internet of Things
  – Liability for connected products
Harmonization

• As inspiration
  – Embodying regional & international good practice
    • Generational evolution

• As formal instrument
  – Signatories, ratification & accession
    • Exemptions, reservations & options (‘may’)

• Interoperability & compatibility
  – Mutual recognition, non-tariff trade barrier

• International co-operation
  – Building a cultural of (informal) co-operation
    • Political and personal relations
Actors

- State actors
  - Parliamentarians
  - Regulatory & law enforcement agencies
    - Judiciary
  - Public administration
    - Leveraging public procurement processes

- Non-state actors
  - Service providers
    - Supply chain intermediaries, e.g. postal service
  - Universities
    - e.g. as CERTS, domain name registries
  - Civil society
  - Industry as users
    - …& their legal advisers
International organizations

• Capacity building
  – More than ‘drive-by’ training

• Fostering networks
  – Beyond state actors

• Focusing attention
  – Political agendas

• Engendering confidence
  – Lots of small steps….
In law, as in life....... 

....less is often more!