THE WAY FORWARD

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REGIONAL WORKSHOP ON E-COMMERCE LEGISLATION HARMONIZATION

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Objectives of this workshop

- Deepen our knowledge of key legal issues related to e-commerce
- Understand why e-commerce laws are needed
  - Increased participation in regional/global markets and supply chains;
  - e-government strategy;
  - Mobile commerce;
  - e-Payment systems
  - Cloud computing
- Share experiences among participating Caribbean countries
Caribbean Landscape

*Harmonization is challenging*

- Different level of law adoption
  - Lack of capacity of stakeholders and law enforcement bodies
  - Lack of resources and of prioritization in Governments portfolio
  - Lack of mechanism for coordinating cooperation between multiple agencies

- Multitude of sub-regional groupings
  - Various regional agreements/frameworks
  - E-commerce is a priority in the CARICOM Agenda with deliverables on e-commerce policy protocol and legislation
  - Challenges in the implementation of regional agreements at the Member States level
Common challenges regarding enforcement in Caribbean participating countries

Source: UNCTAD, 2015.
The way forward
Good practices

- Commitment and ownership at highest national and regional level (e.g. East African Community Task Force on Cyberlaws)
- Collaboration among regulatory/statutory authorities at national and regional levels
- Public–private dialogue needed for legislation to be successfully enacted and enforced
- Trainees become trainers:
  - sharing of experience, restitution seminars
  - participation at national/regional workshop
  - training/briefing of national institutions, awareness-raising campaigns
Good practices

- Set up inter-governmental coordination committee
- Define trainings and awareness-raising actions for key target groups, including parliamentarians, law enforcement agencies and the private sector
- Define milestones and monitor developments

Keep the Momentum for e-commerce law reforms
The way forward is about sharing resources for shared benefits and development of domestic/cross-border e-commerce

- Set informal and formal mechanisms at national and regional levels;
- Become the promoters of the law reform;
- Tap into the existing resources available from regional and international organizations;

✓ US FTC
✓ US DoJ
✓ WB
✓ UNCITRAL
✓ UNODC
✓ UNECLAC
✓ UNCTAD
✓ CARICOM
✓ ACS
✓ SELA
✓ Others
Sharing…

- Continue networking with colleagues met during the online distance learning training and this workshop;
- Share progress on e-commerce laws with your partners;
- Circulate the questionnaire to relevant institutions in preparation of the study;
- All presentations and photos on learn.unctad.org
- Else?
To date, **60 countries** in Africa, Asia and Latin America and the Caribbean have received technical assistance in various forms

- Awareness and build capacity workshops of policy and law makers, including parliamentarians;
  - **Online and face-to-face training courses** on the “Legal Aspects of E-commerce” following the TrainForTrade methodology
  - Over **2500 policy and law makers trained** in 8 years in the ASEAN, EAC, ECOWAS, Latin America and the Caribbean.

- Reviews of national laws and regional agreements;
- Preparation of regionally harmonized legal frameworks and assistance in implementation at national level;
- Public and private roundtables;
UNCTAD's work on cyberlaw harmonization

- Comparative regional reviews on e-commerce law harmonization
  - The Review for Caribbean countries to be published in 2016

- Partners include:
  - Programme funded by Finland, the Republic of Korea
MANY THANKS!