

Expert Meeting on

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

25-27 March 2015

Ways Forward

By

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

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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
 - Committee
 - 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!