

Expert Meeting on

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

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Legal Challenges: A lawyer's perspective

By

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Role of law

- A negative view
 - The answer is no (*so what's the question!*)
 - Uncertainties & liabilities (*so do nothing*)
 - Which law applies (*and why are they all so different*)?
- A positive view
 - Promotion of....
 - Prevent harms & protect individual rights
 - Harmonisation (compatibility & interoperability)

Regulation

- Regulation, co-regulation & self-regulation
 - Private sector
 - Code & technical standards
 - Enforcement
 - Cost of compliance
- Building institutions
 - Capacity-building: knowledge, skills & resource
 - ‘Independent’ of.....
 - Convergence

Legal issues

- Electronic transactions
 - *Evidence*
- Data protection & privacy
 - *Consent & contract*
- Consumer protection
 - *Redress*
- Illegal content
 - *Freedom of expression*
- Information security
 - *Responsibility*
- Cybercrime
 - *Content & LEA powers*
- Intellectual property rights
 - *Private use*
- Telecommunications
 - *Net neutrality*

It depends.....