



BUILDING TRUST IN THE INFORMATION ECONOMY



UNCTAD PROGRAMME ON E-COMMERCE AND LAW REFORM

The deployment and use of information and communications technologies (ICTs), especially mobile telephony and cloud computing, is transforming the business environments of developing countries. ICTs offer new development opportunities and enable small and medium-sized enterprises to participate more actively in international trade.

To benefit from such opportunities, governments need to put in place modern legal systems that address the issues raised by the electronic nature of these technologies. These regulatory environments should ensure trust in online transactions, ease the conduct of domestic and international trade online, and offer legal protection for users and providers of e-commerce and e-government services.

UNCTAD is mandated to help developing countries in the field of ICTs. Since 2000, the UNCTAD e-Commerce and Law Reform Programme has supported developing countries in Africa, Asia and Latin America.

The programme is supported through funding provided by the Government of Finland.



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VOICES ON E-COMMERCE TRENDS

“B2C e-commerce is forecast to double from \$1.2 trillion in 2013 to \$2.4 trillion in 2018. The fastest growth is expected in the Asia and Oceania region, the market share of which is set to grow from 28 per cent to 37 per cent”

“An estimated 1.1 billion people around the world made at least one online purchase in 2013, accounting for 41 per cent of all Internet users. The highest growth between 2013 and 2018 in terms of online shoppers is anticipated for Middle East and Africa”
eMarketer, 2014

“...online trade is an important tool for developing countries to gain access to world markets”
eBay, 2012

“E-commerce sales in Latin America have risen from \$1.6 billion to \$43 billion since 2003, a compound annual growth rate of 45.7 per cent”
América Economía magazine, 2013

“More than half of the 256 live deployments of mobile money services for the unbanked globally are in Africa”
GSM Association, January 2015

KEY ACHIEVEMENTS

Association of Southeast Asian Nations

The Association of Southeast Asian Nations (ASEAN) was the first developing region to prepare a harmonized e-commerce legal framework.

UNCTAD supported ASEAN to meet the objectives of its ICT Masterplan 2015 through:

- A survey of ASEAN member States and e-commerce businesses on the legal frameworks for e-commerce
- A regional workshop to discuss advances and challenges in adopting and enforcing e-commerce legislation
- Capacity-building and awareness-raising workshops for policymakers and lawmakers from Cambodia and the Lao People's Democratic Republic from 2003 to 2009, and assisted them in drafting e-commerce legislation

In 2013, the ASEAN Secretariat and UNCTAD published a comprehensive review of e-commerce legislation harmonization in the region which is available at UNCTAD website: <http://unctad.org/ICT4D>.

East African Community

As part of its regional integration process, the East African Community, with the assistance of UNCTAD, established a Task Force on Cyberlaws in 2007. UNCTAD provided legal advice and training to build awareness on policy and legal issues pertaining to e-commerce.

The Task Force prepared and endorsed two cyberlaw frameworks, the most advanced in Africa.

UNCTAD published two studies:

- Harmonizing Cyberlaws and Regulations: The experience of the East African Community
- Mobile Money for Business Development in the East African Community

Economic Community of West African States

The Economic Community of West African States (ECOWAS) developed a set of Community Acts in order to achieve a more harmonious ICT sector within the region. Since 2013, UNCTAD has carried out a series of regional online capacity-building trainings and face-to-face workshops to identify and discuss the numerous challenges to regional harmonization of cyberlaws.

A comprehensive review of e-commerce legislation harmonization within ECOWAS has been published and is available at UNCTAD website: <http://unctad.org/ICT4D>



Latin America and the Caribbean

Since 2007, UNCTAD has carried out joint capacity-building activities in the field of ICTs with the General Secretariat of the Latin American Integration Association and the Latin American and Caribbean Economic System.

Regional training sessions, including cyberlegislation harmonization workshops, have reached over 1,100 representatives of the public and private sectors.

UNCTAD prepared two publications:

- Study on Prospects for Harmonizing Cyberlegislation in Latin America
- Study on Prospects for Harmonizing Cyberlegislation in Central America and the Caribbean

Briefings of parliamentarians

UNCTAD supports governments by organizing parliamentary briefings to facilitate the adoption of the appropriate legal instruments.

- In 2011, a briefing session was held in Kenya for the Parliament's Departmental Committee, which handles communications matters.
- In 2013, a special briefing session was organized in Cameroon by UNCTAD with the Commonwealth Telecommunications Organization and the Commonwealth Parliamentary Association. Participants analysed legal and regulatory issues pertaining to e-commerce, including legal recognition of electronic messaging for commerce and e-government.

“ The topics covered, including consumer protection, cybercrime and cyber security, data protection, and privacy and online content control, were not only very pertinent to the United Republic of Tanzania but also to the rest of the developing Commonwealth countries as they grapple with the challenges brought by new frontiers in ICT development. ”

Makame M. Mbarawa, Member of Parliament, Minister for Communication, Science and Technology, United Republic of Tanzania, commenting on the special briefing session organized by UNCTAD, the Commonwealth Telecommunications Organization and the Commonwealth Parliamentary Association

SERVICES OFFERED

The UNCTAD Division on Technology and Logistics offers the following services:

CAPACITY-BUILDING TRAINING WORKSHOPS

Training courses and workshops enhance knowledge of e-commerce legal issues and prepare lawmakers and government officials for the drafting of legal frameworks. They focus on key areas of concern: electronic transactions, electronic signatures and authentication, data protection and privacy, consumer protection, cybercrime, taxation, intellectual property rights, competition and information security. Courses and training workshops are offered online and on site in English, Spanish and French. The UNCTAD Train for Trade platform is used to deliver the distance-learning modules (<http://learn.unctad.org>).

ASSISTANCE WITH PREPARING AND ENACTING LEGAL FRAMEWORKS

Assistance provided includes:

- Conducting inventories and reviews of legislation that affect the use of ICTs
- Drafting legislation harmonized with regional and international legal frameworks
- Validation round tables of national stakeholders for the public and private sectors to discuss and finalize draft legal frameworks
- Briefing of parliamentarians

REGIONAL REVIEWS OF E-COMMERCE LEGISLATION HARMONIZATION

The comparative reviews aim to:

- Assess the status of cyberlaws in a particular region by surveying the law reform process
- Provide recommendations for further harmonization of legislation where required

UNCTAD PARTNERS

- African Union Commission
- Commonwealth Cybercrime Initiative
- Commonwealth Parliamentary Association
- Commonwealth Telecommunications Organization
- Inter-American Development Bank
- International Telecommunication Union
- Organization for Economic Cooperation and Development
- Regional institutions in developing countries, including the Secretariat of the Association of Southeast Asian Nations, East Africa Community Secretariat, Economic Community of West African States, General Secretariat of the Latin American Integration Association and the Latin American and Caribbean Economic System
- United Nations Commission on International Trade Law
- United Nations Office on Drugs and Crime
- United Nations regional commissions



HOW TO REQUEST UNCTAD ASSISTANCE ON E-COMMERCE AND LAW REFORM

- All developing countries or economies in transition may benefit from UNCTAD technical assistance, either individually or through intergovernmental organizations.
- Member States of UNCTAD or regional institutions may submit requests for assistance in writing with an indication of the nature of assistance required.
- Requests should be addressed to the Secretary-General of UNCTAD through the countries' permanent missions in Geneva by fax or e-mail:

Fax: 41 22 917 04 65
E-mail: ICT4D@unctad.org

FOR FURTHER DETAILS ON THE PROGRAMME
AND UPCOMING PROJECTS

<http://unctad.org/ICT4D>

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