E-COMMERCE TRAINING PROGRAMME FOR PACIFIC NEGOTIATORS

Development, Digital Divide and Capacity Building Concerns
in the E-Commerce Rule Making – UNCTAD
Wednesday, 20 April 2022

I. DEVELOPMENT CONCERNS IN E-COMMERCE AND THEIR REFLECTION IN THE E-COMMERCE RULE-MAKING

Innovations and digital technologies have led to deep transformations that have revolutionized social, cultural and economic spheres around the globe. These transformations are also evident in the area of e-commerce, which can be harnessed for the achievement of the SDGs, due to its productivity-enhancement potential. In the changing global marketplace, e-commerce presents a powerful driver for economic growth, inclusive trade and job-creation. The COVID-19 pandemic further accentuated the shift towards e-commerce as people and businesses have gone online to cope with various lockdown measures and travel restrictions. However, the pandemic also raised concerns that the digital shift is taking place in the face of persisting - and even widening - digital divides which maintain a number of inequalities. Governments are therefore devoting increasing attention to the enabling policy and regulatory frameworks needed to accompany these transformations, as well as to understanding how e-commerce is treated in various trade agreements. However, when developing rules to promote the adoption of e-commerce, countries need to account for the fact that potential benefits do not always materialize automatically. Developing countries, in particular, do not always have the necessary pre-conditions in place to take advantage of the shift to online transactions.

In the session on *Development, Digital Divide and Capacity Building Concerns in the E-Commerce Rule Making*, UNCTAD will present some of the findings of its 2021 publication "What is at stake for developing countries in trade negotiations on e-commerce? The case of the Joint Statement Initiative". The premise for the publication is that whether developing countries are party to these negotiations or not, it is important that they understand the issues on the agenda and the development implications of the rules being proposed for the future agreement as they are likely to impact on the governance of various dimensions of e-commerce and on the multilateral trading system as a whole. The presentation will shed some light on why a number of developing countries have chosen not to engage in the Joint Statement Initiative (JSI) negotiations on e-commerce despite the participation of significant number of WTO members, representing over 90 % of world trade.

Among the topics that will be discussed during the session are the following:

- The WTO Work Programme and the JSI negotiations on e-commerce and the different perspectives expressed by WTO members on the two processes
- Systemic challenges posed by the plurilateral nature of the JSI negotiations for the WTO system
- E-commerce disciplines: examples of some national and regional approaches
- Selected issues in the JSI negotiations from a development perspective

This part of the session will rely mainly on the following UNCTAD reports:

[What is at stake for developing countries in trade negotiations on e-commerce? (unctad.org)](unctad.org)

[Digital Economy Report 2021 (unctad.org)](unctad.org)

II. ET-READY ASSESSMENTS AND IMPLEMENTATION OF THEIR RESULTS

Integration into the global digital economy is becoming a necessity for all countries. However, the challenge for countries is how to go about doing this. Assessing the readiness of countries to engage in, and benefit more from, e-commerce is crucial for the formulation of relevant strategies and policies to harness the power of e-commerce for economic growth and sustainable development.

UNCTAD's eTrade Readiness assessments (known as eT Readies) enable policy makers to take stock of their ICT-related and e-commerce development along seven key policy areas and to review opportunities and constraints in their national e-commerce ecosystem. The assessments also offer a number of recommendations and an action plan, to help countries to sequence, prioritize and make better use of capacity building assistance from the international and donor communities. Finally, the assessments enable countries to take a more active part in international discussions around e-commerce, including trade negotiations. As countries are at very different stages of e-trade readiness and give different priority to various trade policy objectives, their responses to the evolving landscape will vary considerably.

Since 2017, UNCTAD has assisted 29 countries in undertaking such assessments which focus on the following 7 policy areas: E-commerce strategy formulation, ICT infrastructure and services, Trade logistics and trade facilitation, Payment solutions, Legal framework, E-commerce skills development and Access to financing. While the methodology was initially developed to assist least developed countries it has since been expanded to be applicable to developing countries as well. Five eT Readies were conducted by UNCTAD for countries in the Pacific (Kiribati, Samoa, Solomon Islands, Tuvalu and Vanuatu) and the same methodology was used by partners when conducting assessments for the other countries. This work was also used as input for the preparation of the Pacific Regional E-commerce Strategy and Roadmap.

In 2020, UNCTAD launched an Implementation Support Mechanism (ISM) which emerged from the Evaluation and Monitoring strategy that was developed for the eT Readies and which helps to assess the progress in the implementation of the recommendations contained in the assessments. The Evaluation and Monitoring strategy also documents good practices, policy impacts and lessons learned.

A first comprehensive eT Ready monitoring exercise was conducted in 2020 on the basis of information that the beneficiary countries volunteered to collect and share. A report was prepared to capture progress in the seven policy areas and score the implementation level in the 18 countries reviewed. A second implementation review to be released at the end of April 2022 during the UNCTAD eCommerce Week 2022.

The session will discuss the following:

- Technical scope, stakeholders, methodology of these assessments, and what countries stand to gain from them.
- Some lessons learned from the eT Readies conducted for the countries in the Pacific.
- Some lessons learned from the Implementation Reviews.

This part of the session will rely mainly on the following UNCTAD reports:

Fast-tracking eTrade Readiness Assessment Implementation: A snapshot of UNCTAD's support

Fast-tracking implementation of eTrade Readiness Assessments (unctad.org)

Kiribati Rapid eTrade Readiness Assessment (unctad.org)

[Tuvalu - Rapid eTrade Readiness Assessment (unctad.org)](#)

[Solomon Islands: Rapid eTrade Readiness Assessment (unctad.org)](#)

[Republic of Vanuatu Rapid eTrade Readiness Assessment (unctad.org)](#)

[Samoa: Rapid eTrade Readiness Assessment (unctad.org)](#)

III. UNCTAD'S TECHNICAL COOPERATION AND COLLABORATION WITH OTHER DEVELOPMENT PARTNERS IN THE AREA OF E-COMMERCE

UNCTAD's E-commerce and Digital Economy (ECDE) Programme was set up with the aim of helping to reduce inequality, enable the benefits of digitalization to reach all people and ensure that no one is left behind – nor left offline – in the evolving digital economy. This overall goal has become even more important to achieve due to the pandemic and to support the recovery efforts. In line with the organizations three pillars of activities the ECDE Programme's includes activities in support of the organization's Member States contribute to building knowledge, capacity and consensus.

One sub-programme of the ECDE is the Pacific Digital Economy Programme (PDEP) which is a joint initiative between UNCDF, UNDP and UNCTAD, in support of the development of inclusive digital economies in the Pacific. Under the PDEP, UNCTAD will be implementing several regional and country specific activities. The latter include three national e-commerce strategies, of which the first for the Solomon Islands is currently underway. UNCTAD will also provide technical assistance to individual countries in the areas of statistics and legislative reforms as required. Regional activities include several regional trainings, such as on measuring e-commerce and ICT use by enterprises and measuring international trade in ICT-enabled services, on Digital ID and on e-commerce law reform. It also includes a regional e-commerce legislation gap analysis, the development of a Pacific edition of the Digital Economy Report and activities related to the eTrade for Women programme. More details on the sub-programme are available here: [Pacific Digital Economy Programme | UNCTAD](#)

Other technical assistance products of UNCTAD that will be presented briefly as they may be of particular interest to the participants are the following:

[eTrade for all | E-Commerce and Digital Trade for Development](#)

[eTrade for Women | eTrade for all](#)

[eCommerce Week 2022: Data and Digitalization for Development | UNCTAD](#)