

Drafting e-commerce regulations for a sustainable economic recovery: Lesson from DEPA analysis

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Abstract

In recent years, the digital transformation led by technological advances in electronic devices as well as ICT networks, have had a strong effect on global economy through the expansion of e-commerce (APEC, 2019a). The current international pandemic situation caused by the COVID-19 outbreak has enhanced these business transactions. The rise of e-commerce has forced the economies of the world, particularly those belonging to APEC, to review and develop the physical, human and regulatory infrastructure to establish policies within this sector (APEC, 2017c, 2019b). Thus, the discussion has focused on elements such as electronic transaction frameworks, openness to this type of commerce, cybersecurity, or data privacy. It has also been widely addressed, especially by developing economies, the relevance of the reduction of digital gaps in order to benefit from e-commerce related opportunities (APEC, 2017c).

The governance of the digital economy has become a relevant policy issue for governments across the Asia Pacific region. In this context, the Digital Economy Partnership Agreement (DEPA), composed by Chile, New Zealand and Singapore, acknowledges the importance of the digital economy in promoting inclusive economic growth, and enhance the development of e-commerce in a post pandemic economic recovery scenario. This paper will analyze DEPA as a case study to identify key lessons for the development of regulations that will help boost cross border e-commerce in APEC economies for a post pandemic sustainable recovery. For this purpose, the following structure is proposed. After the introduction, a literature review on the development of e-commerce trade regulations in APEC region will be conducted. Second, an analysis of DEPA's provisions to identify key lessons will be presented. Finally, some policy recommendations will be drafted.

Keywords: DEPA, APEC, e-commerce, sustainable development, post pandemic recovery