Webinar on Exploring digital-trade regulations to promote inclusive and sustainable regional integration in Asia and the Pacific
Virtual Meeting, Zoom, 23 June 2022, 14:00-16:30 (GMT+7)

ESCAP-OECD collaboration on digital trade regulatory analysis

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Outline

• The ESCAP-OECD Initiative on digital trade regulatory analysis
• UN common framework and index for regional digital trade integration analysis (RDTII)
• Emerging recommendations from the ESCAP-OECD Asia-Pacific Digital Trade Regulatory Review
ESCAP-OECD initiative on digital trade regulatory analysis

**ESCAP-OECD initiative begins**
- Collaborate in data collection + data analysis
- Support evidence-based digital trade policy development

**March 2022**
- Data finalization

**June 2022**
- ESCAP-OECD joint Asia-Pacific Digital Trade Regulatory Review 2021/2022
- UN ESCAP-ECA-ECLAC common framework for digital-trade regulatory analysis

**Jan 2021**
- Training national researchers

**Aug 2020**
- Internal review
- National verification
Building knowledge base

Joint report based on the UN Regional Commissions’ Regional Digital Trade Integration Index (RDTII);

and OECD Digital and Computer Services Restrictiveness Indices (DSTRI + CSTRI)
UN Regional Digital Trade Integration (1.0) Framework

ESCAP Regional Digital Trade Integration Index

1. Tariffs & Trade Defence
   - Effective tariff rates
   - Zero-tariff coverage
   - Not in Information Technology Agreement (ITA)
   - Trade defence measures

2. Public Procurement
   - Foreign exclusion
   - Specific requirements
   - Other limitations
   - Not in Government Procurement Agreement (GPA)

3. Foreign Investment Restrictions
   - Foreign equity limit
   - Joint venture requirement
   - Residency requirement
   - Investment screenings

4. IPRs
   - Patent issues
   - Lack of clear copyright exceptions
   - Copyright enforcement issues
   - Mandatory disclosure of trade secrets
   - Overall IP protection

5. Telecom Regulations & Competition
   - Lack of deregulation
   - Anti-competitive practices
   - Strict licensing issues

6. Cross-border Data Conditions
   - Requirements on data transfer, storage, processing
   - Requirements on consent, evaluation, approval

7. Domestic Data Protection & Data Privacy
   - Lack of comprehensive data protection law
   - Data retention requirements
   - Data Impact Assessment (DPIA) or Data Protection Officer (DPO)
   - Government access to personal data

8. Internet Intermediary Liability & Content Access
   - Lack of safe harbor
   - Monitoring requirement
   - Blocking/filtering
   - Strict licensing issues

9. Non-technical NTMs
   - Import bans
   - Other import restrictions
   - Local content requirement
   - Export restrictions

10. Standards & Procedures
   - Lack of transparency
   - Lack of self-certification
   - Product testing and screening issues
   - Encryption standard issues

11. Online sales & transactions
   - Sales, delivery, advertising restrictions
   - E-payment limitations
   - De Minimis limits
   - Restrictions on domain names
   - Lack of legal framework
Toward regional integration through digital trade in Asia and the Pacific

**Recommendations**

1. **Digitalization of trade procedures**
   - Framework agreement on facilitation of cross-border paperless trade in Asia and the Pacific
2. **Experience sharing on different approaches of digital trade governance**
   - Bringing in stakeholders to conversations
3. **Governments-IOs collaboration on fact finding exercises**
   - Identifying trade-offs and policy responses based on evidence

**Regional Integration through Digital Trade**

1. **Löwenberg digital trade barriers**
2. **Cooperation based on commonalities**

**Supporting LDCs**

1. Legal and infrastructure development
2. Building capacity of policymakers and analysts

**Evidence-based policymaking**

1. Open dialogues
2. Digital trade facilitation
THANK YOU

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Way forward

• Continued collaboration with OECD and other partners to improve methodology + update and expand dataset
  • UN and other international organizations; Academia
  • Governments

• On-demand capacity building and technical assistance to Member States to develop evidence-based digital trade policy frameworks