



UNITED NATIONS CONFERENCE
ON TRADE AND DEVELOPMENT



EAST AFRICAN COMMUNITY

REGIONAL WORKSHOP ON THE LEGAL ASPECTS OF ELECTRONIC COMMERCE

Organized by the UNCTAD secretariat in cooperation with the East African
Community secretariat

*Held at the Sarova Stanley Hotel, the Huxley & Patterson Authors suites
Nairobi, Kenya, 11-15 December 2006*

The United Nations Conference on Trade and Development in collaboration with the East African Community Secretariat, is organizing a regional workshop on the Legal Aspects of E-Commerce in Nairobi, Kenya from 11 to 15 December 2006. This workshop is supported by the Government of Finland.

Background

Recognizing the potential of Information and Communication Technologies (ICTs) in fostering economic and social development, developing countries are implementing national ICT plans to create an enabling environment for ICTs to realize their benefits in various areas, including trade, health, education and governance. With regard to trade, e-commerce is one of the ICT applications that contribute to promote development and economic growth, allowing the public and private sectors to become more competitive. It helps developing countries improve their trade efficiency and facilitates their integration into the global economy.

The WSIS Geneva Plan of Action calls upon governments to act as model users and early adopters of e-commerce in accordance with their level of socio-economic development. More broadly, confidence and security are recognized among the main pillars of the information society, and in the context of the information economy, a transparent and comprehensive regulatory framework is an essential precondition for the benefits of e-commerce to materialize. The Tunis Agenda for the Information Society further recommends considering issues related to ICT-related institutional reform and enhanced capacity on legal and regulatory framework.

The impact of ICTs and their role in e-commerce have driven Governments to reform their legislations to respond to new market requirements, and in particular to provide appropriate incentives for investment, ensure trust between commercial partners, and facilitate the conduct of domestic as well as international trade. The advent of ICTs and e-commerce raises several issues about how to regulate their use and provide legal protection for users and businesses in the market. The adaptation of laws and regulations related to the use of ICT is an essential precondition for the engagement and development of e-commerce and is one of

the key elements of national ICT plans. Governments need to establish a clear, internationally recognized and compatible legal and regulatory framework for e-commerce to ensure that domestic laws can operate effectively across national borders. UNCTAD supports their efforts towards the preparation of an enabling and a supportive legal and regulatory environment for electronic commerce in offering a range of advisory and training services.

The training and capacity building of legal professionals and more broadly policy makers or private sector representatives constitute a practical and effective means to achieving a common understanding of e-commerce legal and regulatory issues for trade facilitation and harmonization of regional and national legal frameworks. As part of UNCTAD ongoing work to assist developing countries' efforts in the definition of appropriate ICT policies and instruments, UNCTAD developed the training course on "The legal aspects of e-commerce".

Objective

The aim of the training course "The legal aspects of e-commerce" is to prepare lawmakers and government officials in all aspects to be considered for the drafting of electronic commerce laws. At the end of this workshop, the participants should be able to better understand the legal implications of e-commerce, to identify the main development policy issues involved and to identify priority areas for law reform.

High-level participants from Kenya, Tanzania, Uganda and the EAC secretariat will be taking part in the training workshop. A provisional list of participants is attached.

Programme outline:

The training course on Legal Aspects of E-Commerce was developed by the ICT and E-Business Branch (www.unctad.org/ecommerce) and is based on the TrainForTrade methodology (www.unctad.org/trainfortrade). The standardised training package includes:

- Participant's manual
- Instructor's guide
- Audiovisual aids
- Tests & exercises
- Training of trainers
- E-platform

The 8 modules of the presential course include:

- Module 1: Regulating e-commerce
- Module 2: The legal validity of electronic communications
- Module 3: Consumer protection
- Module 4: Protecting intellectual property assets
- Module 5: Content regulation
- Module 6: Taxing e-commerce
- Module 7: Privacy online
- Module 8: Securing e-commerce