DIGITAL TRADE ESTIMATES: THE PROJECT

- Project entirely dedicated to measures impacting digital trade
- 65 economies
- Main pillars of the project:
  - DTE Database
  - DTE Index
  - DTE Annual Report
DIGITAL TRADE ESTIMATES: THE DATABASE

- More than 1700 measures identified
- Regulatory measures
- ‘De facto’ measures
- 13 main areas of research
- 40+ subcategories of research
DIGITAL TRADE ESTIMATES: THE DATABASE

13 main areas:
1. Tariffs and trade defence
2. Taxation and subsidies
3. Public procurement
4. Foreign investment
5. IPR
6. Competition policy
7. Business mobility
8. Data policies
9. Intermediary liability
10. Content access
11. Quantitative trade restrictions
12. Standards
13. Online sales and transactions
CHAPTER 1: TARIFFS AND TRADE DEFENCE

1. Applied tariffs on digital goods
2. Antidumping, CVD & Safeguards on digital goods
CHAPTER 1: TARIFFS AND TRADE DEFENCE

Digital goods: ICT products beyond the list agreed in the ITA agreements.
CHAPTER 2: TAXATION AND SUBSIDIES

1. Discriminatory tax regime on digital goods and products
2. Discriminatory tax regime on online services
3. Taxation on data usage
4. Subsidies and discriminatory tax regime
CHAPTER 3: PUBLIC PROCUREMENT

1. Preferential purchase schemes covering ICT products, services

2. Surrendering of patents, source code etc.

3. Technology mandate (encryption, formats)
MAIN AREAS:
4. FOREIGN INVESTMENT

1. Restrictions on ownership
2. Restrictions on board of directors and managers
3. Screening and restrictions on cross-border mergers and acquisitions

5. INTELLECTUAL PROPERTY RIGHTS

1. Patents
2. Copyright
3. Trade secrets
Mainly related to the telecom sector....
7. BUSINESS MOBILITY

Measures include quotas, labour market regulations and limits of stay, inter alia.
**MAIN AREAS:**

8. DATA POLICIES

1. Restrictions cross-border on data flows (data localisation)
2. Data retention
3. Subject rights on data privacy
4. Administrative requirements on data privacy
5. Sanctions for non-compliance
Main Areas:

9. Intermediary Liability

1. Framework that provides a safe harbor
2. Notice and takedown requirement

10. Content Access

1. Censorship, filtering
2. Bandwidth, net neutrality
11. QUANTITATIVE TRADE RESTRICTIONS

1. Import restrictions

2. Local Content Requirements for commercial market

3. Export restrictions
12. STANDARDS

1. Telecom network and base standards (Non-international broadband, mobile, and ICT product standards)

2. Product safety certification (EMC/EMI, radio transmission)

3. Product screening and testing requirements

4. Encryption
MAIN AREAS:
13. ONLINE SALES AND TRANSACTIONS

1. Barriers to fulfilment

2. Domain name (DNS) registration requirements

3. Online sales

4. Discriminatory/disproportionate consumer protection
DIGITAL TRADE ESTIMATES:
A PRACTICAL APPLICATION

- No restrictions
- Local storage
- Local storage and processing
- Ban to transfer

If conditions are fulfilled

Conditional flow regime
The evolution of data localisation measures


Note: The graph does not include one measure whose date of entry into force is unknown.
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Geographical coverage

Europe 45%
Asia-Pacific 39%
North America 7%
Latin America 5%
Africa 4%

Source: ECIPE Digital Trade Estimates database. Available at www.ecipe.org/dte/database
Sectoral coverage

- Horizontal: 51%
- Financial sector: 4%
- Online services providers: 7%
- Public sector: 7%
- Telecommunication sector: 10%
- Other: 11%
- Gambling sector: 8%
- Health sector: 2%

Source: ECIPE Digital Trade Estimates database. Available at www.ecipe.org/dte/database
Type of data affected

- Personal data: 41%
- Business records: 13%
- All sectoral data: 12%
- Public data: 8%
- User/consumer data: 8%
- Financial data: 7%
- All data: 5%
- Other: 4%
- Health data: 2%

THANK YOU!

WWW.ECIPE.ORG/DTE

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