

## EUROPEAN HIGHLIGHT | 30.01.2019

### ONGOING INITIATIVES TO TACKLE OBSTACLES TO CROSS-BORDER E-COMMERCE

Recently, there have been a number of initiatives at international and European level to tackle the obstacles to cross-border e-commerce.

On 25 January 2019, the European Union and 48 other members of the World Trade Organisation (“WTO”) decided to start negotiations to put in place global rules on e-commerce. Despite the fact that domestic and cross-border e-commerce have grown exponentially in the last two decades, there are no specific multilateral rules in the WTO regulating this type of trade. Business and consumers instead have to rely on a patchwork of rules agreed by some countries in their bilateral or regional trade agreements.

WTO rules on e-commerce will aim to enhance opportunities and address challenges of e-commerce in both developed and developing countries. The negotiations should result in a multilateral legal framework that consumers and businesses, especially smaller ones, could rely on to make it easier and safer to buy, sell and do business online. The new rules would, for instance:

- Improve consumers’ trust in the online environment and combat spam
- Tackle barriers that prevent cross-border sales
- Guarantee validity of e-contracts and e-signatures
- Permanently ban customs duties on electronic transmissions
- Address forced data localization requirements and forced disclosure of source code.

A few days later on 29 January 2019, the European Parliament and the Council reached a provisional agreement on the European Commission’s proposals of 9 December 2015 regarding the supply of digital content and services (e.g. streaming music) and the online sales of goods (e.g. buying clothes online). The scope of this proposal was extended to offline sales in 2017. The two proposals aimed to tackle important obstacles to cross-border e-commerce in the EU: legal fragmentation in the area of consumer contract law, which made it difficult for small and medium-sized enterprises to do business cross-border and low consumer trust when buying online from another Member State.

In conjunction with the Geoblocking Regulation that entered into force in December 2018 (see also the **ADDE European Highlight of 13 November 2018**), the new agreement on digital contract rules is the latest achievement of the Digital Single Market Strategy, delivering concrete benefits to citizens and businesses.

We selected this topic, given the increasing importance and opportunities of e-commerce for all businesses, including dental distributors, within the EU.

We hope this information is useful. You should not hesitate to contact us should you have any questions or require further information.

Kind regards,

Sarah – Evi

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