



**MEKONG
INSTITUTE**

Completion Report



Modular Training Program on

**Facilitating Cross-Border Electronic
Transactions and the Use of
Electronic Signatures**

March 1-12, 2021, Online Mode

Acknowledgements

We would like to express our utmost appreciation to all the 41 participants from the Lancang-Mekong (LM) countries, i.e. Cambodia, P.R. China, Lao PDR, Myanmar, Thailand, and Vietnam for participating in the Online Modular Training on “Facilitating Cross-Border Electronic Transactions and Electronic Signature”. The participants engaged in the activities of the training course, which included live contact sessions, live group presentations, self-paced learning and group discussions, and evaluations/examination. Such active engagement of the participants contributed to making the training an immense success.

The e-training program could not be accomplished without the generous support from the Lancang–Mekong Cooperation Special Fund (LMCSF).

Further, we would also like to thank all internal and external resource persons for sharing knowledge, lessons learned and best practices with all participants during the training course drawing from their technical expertise.

Lastly, our appreciation goes to the project team of Trade and Investment Facilitation (TIF) Department and all colleagues of Mekong Institute (MI) for their support and assistance in ensuring the successful completion of the training course.

Trade and Investment Facilitation (TIF) Department
Mekong Institute (MI)
Khon Kaen, Thailand
June 2021

Executive Summary

Mekong Institute (MI) organized a two-week online modular training on '*Facilitating Cross-Border Electronic Transactions and Electronic Signature*' on March 1 – 12, 2021 via Zoom Cloud Meeting.

The overarching objective of Modular Training Program on Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures" is to enhance ICT connectivity and usage through improvements in infrastructure and facilities for facilitating cross-border trade and investment.

41 senior- and mid-level participants representing ministries of commerce/trade, economy and industry, companies, industry associations, academic, and research institutions from the Lancang-Mekong countries, i.e. Cambodia, P.R. China, Lao PDR, Myanmar, Thailand, and Vietnam participated in the online training course.

The training was comprised of 10 days of online learning and activities including live contact sessions, live group presentations, self-paced learning and group discussions, evaluations/examination, and certificates of completion with star ratings.

APs - an integral part of the training course - were developed by the participants as activities to implement in their respective countries. Accordingly, the participants from different countries drew up plans for organizing national workshops, localized trainings, and research study to be implemented within three months following the training. A team from MI Trade and Investment Facilitation (TIF) Department is providing necessary technical guidance to the participants during the period of action plan implementation. Upon the successful completion of APIs, selected participants from each country will be invited to take part in an Online Synthesis and Evaluation (S&E) Workshop to report on lessons learned, best practices, challenges and recommendations drawn from the APIs. The Online S&E Workshop is scheduled to be held in August 2021.

To assess the effectiveness of the training program, different evaluation methods including pre & post evaluations, daily feedback, and after-event evaluation were conducted. The results of pre and post self-assessments of participants' competency revealed participants' knowledge and understanding of the subjects covered in the training were enhanced after the training. The results of after-event evaluation indicated that the training mostly met its objectives, with an overall average rating of 4.19 out of 5. As for program contents, participants reported the training sessions were relevant to their work and enhanced their knowledge and skills. Further, the participants provided the feedback they were very satisfied with the overall arrangements and organization throughout the training (average rating: 4.3) and they enjoyed the training atmosphere very much and learnt a lot from the resource persons and co-participants.

The training participants also provided a few constructive and useful comments and suggestions to the organizing team for improvement of future programs. Their comments and suggestions are summarized below.

- Several comments appreciated the training program, its content and usefulness, importance of group work and discussions.
- Several comments mentioned onsite training on this subject will be more impactful and appreciated.
- Some suggestions were about length of the training sessions (too long – should be less than 2 weeks), individual sessions (long, not enough breaks), time management (some sessions

stretched beyond their scheduled time), and including more relevant ministries/departments as participants.

- Suggestions on giving more time for assignments/group works and discussions and for downloading software for resolving technical issues in downloading.
- Comments about differing schedules on different days.
- Comments about not all participants turning on their videos (they should turn on when the classes and group discussions are on).
- Myanmar participants expressed the need for more such capacity building programs
- There was a suggestion about having single windows involving government and private sector.

Acronyms

AP	Action Plan
ASEAN	Association of Southeast Asian Nations
ASW	ASEAN Single Window
ATIGA	ASEAN Trade in Goods Agreement
CDS	Curriculum Design Statement
CPTPP	The Comprehensive and Progressive Agreement for Trans-Pacific Partnership
ebXML	Electronic Business Extensible Markup Language
ECC	Electronic Communications Convention
EDI	Electronic Data Interchange
ESCAP	The United Nations Economic and Social Commission for Asia and the Pacific
ET&ES	Electronic Transactions and Use of Electronic Signatures
ETA	Thai Electronic Transactions Act
FTAs	Free Trade Agreements
ICT	Information, Communication, and Technology
Lao PDR	Lao People's Democratic Republic
LM Countries	Lancang-Mekong Countries
LMCSF	Lancang–Mekong Cooperation Special Fund
LNSW	Laos Nation Single Window
MEF	Ministry of Economics and Finance
MI	Mekong Institute
MLEC	Model Law on Electronic Commerce
MOC	Ministry of Commerce
MOI	Ministry of Information
MOU	Memorandum of Understanding
NRCA	National Root Certificate Authority
NSWs	National Single Windows
NTM	Non-Tariff Measures
P.R. China	People's Republic of China
PKI	Public Key Infrastructure
RCEP	Regional Comprehensive Economic Partnership
S&E	Synthesis and Evaluation
SMEs	Small and Medium-sized Enterprises
SPS	Sanitary & Phytosanitary
TBT	Technical Barriers of Trade
TCES	Thai Customs Electronic System
TIF	Trade and Investment Facilitation Department
UMFCCI	Union of Myanmar Federation of Chambers of Commerce and Industry
UN	United Nations
UN/CEFACT	The United Nations Centre for Trade Facilitation and Electronic Business
UN/EDIFACT	The United Nations rules for Electronic Data Interchange for Administration, Commerce and Transport
UNCEFACT	The United Nations Centre for Trade Facilitation and Electronic Business
UNCITRAL	United Nations Commission on International Trade Law

UNNEt	The United Nations Network of Experts for Paperless
VCCI	Vietnam Chamber of Commerce and Industry
WCO	World Customs Organization
WCO DM	World Organization Data Model
WTO	World Trade Organization

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1. Introduction

1.1. Project on “Upgrading Border Facilitation for Trade and Logistics Development”

The project on “Upgrading Border Facilitation: Trade and Logistics Development” is being implemented by Mekong Institute (MI) in collaboration with the Ministry of Commerce, the Royal Government of Thailand and funded by the Lancang-Mekong Cooperation Special Fund (LMCSF). The aims of the project are to 1) promote trade along border trade zones which link the Lancang-Mekong countries; 2) facilitate cross-border trade by increasing the capacity for commerce and reducing the costs faced by traders within the Lancang-Mekong countries; and 3) enhance connectivity and improve competitiveness across international border through improvements in infrastructure focused on facilitating cross-border and investment is designed to support policy and structural reforms.

1.2. Modular Training Program on “Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures”

As part of the above-mentioned project, MI organized the live online sessions of Modular Training on “*Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures*” on March 1-12, 2021 using online training methods and tools. The training program follows MI’s modular training cycle.

The second part of the modular training is five months of action plan implementation by training participants in respective countries and the third part will be an online Synthesis and Evaluation workshop at the conclusion of the action plan implementation.

2. Program Objectives and Outcomes

2.1. Objectives

The specific objectives of the training program were to:

- Enhance understanding and application of cross-border electronic transactions and the use of electronic signatures in the LM countries;
- Speed up the development of essential legal, regulatory and administrative frameworks for promoting cross-border electronic transactions and the use of electronic signatures;
- Promote modes of paperless trade and utilization of the online information system on economic zones of the LM countries developed by MI for cross-border transactions in the LM countries;
- Encourage increased cross-border cooperation on cross-border electronic transactions and the use of electronic signatures between the LM countries; Suggest solutions to specific issues and challenges arising out of COVID-19.

2.2. Expected Outcomes

The expected outcomes of the training program are contribution to

- Smooth functioning of cross-border electronic transactions and the increased usage of electronic signatures in cross-border trade, investment and e-commerce in the LM countries;
- Increased cooperation between agencies, governments, private sector and consumers in the LM countries for promoting cross-border electronic transactions and use of electronic signatures in cross-border trade and investment;
- Increased cross-border trade and other cross-border linkages in the LM countries.

3. Participants and Resource Persons (RPs)

3.1. Participants

Forty (41) senior and mid-level participants from the LM countries attended the E-training program. The participants included:

- a) Thirteen (13) Cambodians representing Ministries of Transport and Commerce;
- b) Four (04) Chinese representing the Commerce Department of Yunnan Province;
- c) Six (06) Laotians representing the Planning and Investment Ministry, Economic Research Institute for Industry and Trade, and Special Economic Zone Development Company;
- d) Twelve (12) Burmese representing the Ministries of Commerce, Transport and Communication, Investment and Economic Relations, the Economy and Environment Institute, central bank, and logistics companies; and
- e) Four (04) Thais representing the Federation of Thai SMEs, social enterprise, marketing and consulting companies.
- f) Two (02) Vietnamese representing VCCI in Cantho and Quang Tri Information and Communication Department.

Sixteen (16) participants or 39% of total number of participants were female and twenty-five (25) or 61% were male. The participants were from both the public (31 participants/51% of total) and private (30 participants/49%) sectors.

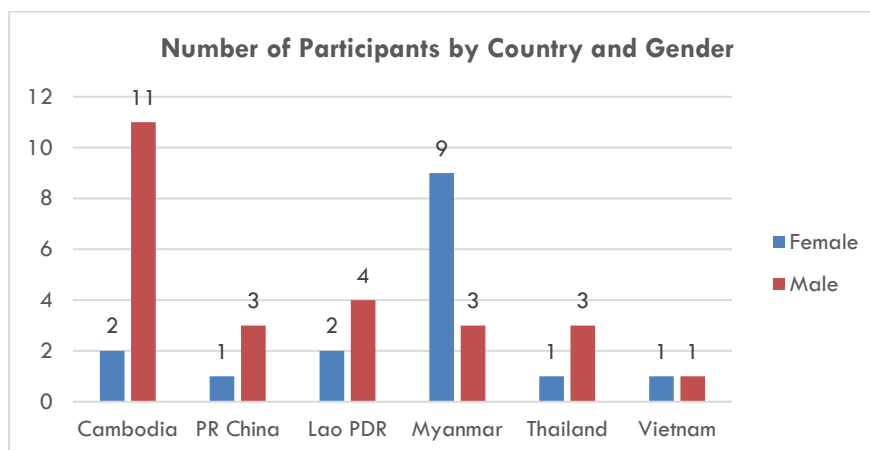


Figure 1: Numbers of Participants by Country and Gender

3.2. Resource Persons (RPs)

There were seven external consultants acting as resource persons in the live training session. Details of the resource persons along with the training modules delivered by them are summarized below:

Table 1: Resource Persons (RPs)

<p>1. Dr. Alan Davidson Academic, Solicitor and Barrister, Member – Expert Panel UNCITRAL, Working Group IV Electronic Commerce</p>	<p>Module 1: Electronic Transactions and Use of Electronic Signatures (ET&ES) in Digital Age</p> <ul style="list-style-type: none"> • Importance of and Trends in ET&ES: • Definitions and Concepts: • Concept of Cross-border ET&ES • Border Trade Facilitation and CrossBorder Transactions <p>Module 3: Status and Frameworks in the LM Countries</p> <ul style="list-style-type: none"> • Status of ET&ES in the LM countries • Frameworks of ET&ES in the LM countries • Issues and Challenges of ET&ES in LM Countries
<p>2. Mr. Luca Castellani Legal Officer, UNCITRAL</p>	<p>Module 2: International and Regional Frameworks</p> <ul style="list-style-type: none"> • International Frameworks and Practices
<p>3. Mr. Bryan Tan Partner, Pinsent Masons and UNNEXT expert</p>	<p>Module 2: International and Regional Frameworks</p> <ul style="list-style-type: none"> • Frameworks and Measures in Asia Pacific: <ul style="list-style-type: none"> a) e-ASEAN Framework Agreement
<p>4. Mr. Alvin Mah UNNEXT expert</p>	<p>Module 2: International and Regional Frameworks</p> <ul style="list-style-type: none"> • Frameworks and Measures in Asia Pacific: <ul style="list-style-type: none"> b) Automated customs systems, the ASEAN Single Window (ASW) and National Single Windows (NSWs)
<p>5. Ms. Soo Hyun Kim Economic Affairs Officer ESCAP</p>	<p>Module 2: International and Regional Frameworks</p> <ul style="list-style-type: none"> • Frameworks and Measures in Asia Pacific: <ul style="list-style-type: none"> c) The Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific
<p>6. Mr. Sapphasuk Wijaiworakit Chief of international cooperation unit, Thai Customs Department</p>	<p>Module 3: Status and Frameworks in the LM Countries</p> <ul style="list-style-type: none"> • Status of ET&ES in the LM countries • Frameworks of ET&ES in the LM countries Perspective from Thailand • Issues and Challenges of ET&ES in LM Countries Perspective from Thailand
<p>7. Mr. Krisorn Somnuk Computer technical officer, Thai Customs Department</p>	

4. Training Approach

The training program follows MI's modular training cycle approach. The three phases of the modular training cycle have been illustrated below:

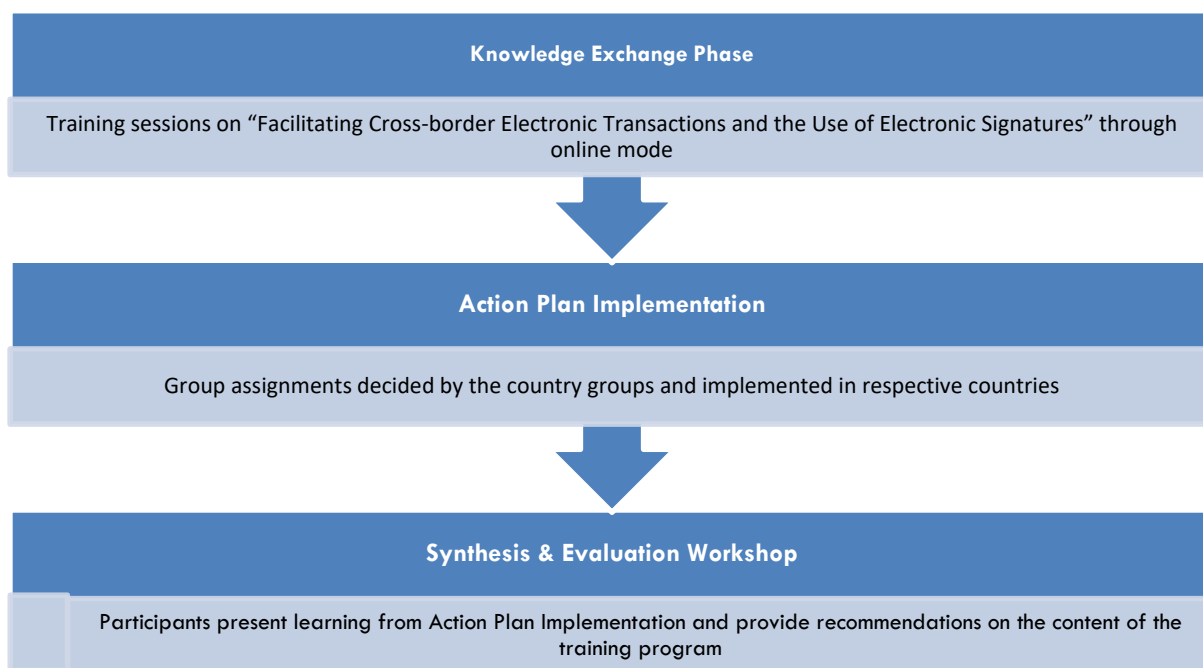


Figure 2: Three Phases of the Modular Approach

Knowledge Exchange Phase: This phase consisted of the two-week live sessions via online mode. At this stage, resource persons devise ways to promote high levels of literacy of and higher order thinking on the subject-matter aimed at optimum engagement of the participants. This is a conceptualization stage which requires processing and drawing on a knowledge base of content, application of methods appropriate to the content, and use of technology appropriate to the content.

The online sessions were so designed so as to enable the participants to have a comprehensive understanding of the content through self-paced learning and live online sessions, focus on sharing of practical knowledge by the participants and resource persons, encourage exchange of information and ideas through group work and discussions, adopt participative methods through quizzes and simulation exercises, assess enhancement of skills and knowledge of participants and foster networking among the participants. The language used of the training program was English.

Action Plan Implementation: Action plans are group assignments decided by the participants themselves. The MI team is providing necessary assistance in implementing the action plans. The period of action plan implementation is five months.

Synthesis and Evaluation Workshop: The participants will be invited to share the outputs of their action plan implementation in a synthesis and evaluation workshop after satisfactory implementation of the action plans. Participants will be asked to present the results of and learning from their action plan implementation. Participants will also be asked to provide their recommendations and suggestions on the content and management of the training program.

Approach of the Online Training

The first phase of the modular training program consists of training sessions held over two weeks on March 1-12, 2021 in the following manner:

- Live contact sessions;
- Live group presentations;
- Self-paced learning and group discussions;
- Evaluations/examination; and
- Awarding certificates of completion with star ratings based on performance during the training course.

Guidelines to follow during the Online Training



5. Program Contents

5.1. Inauguration Ceremony

Mr. Suriyan Vichitlekarn, MI Executive Director



Mr. Suriyan Vichitlekarn warmly welcomed all the participants to the MI's E-training program. He also expressed his excitement seeing a large group of participants taking part in the training program, which indicates keen interest of relevant stakeholders in the project activities, particularly in the training program.

In addition, Mr. Suriyan mentioned that the LM region is one of the most dynamic regions in the world with huge economic and trade exchanges. However, due to Covid-19 pandemic, the LM region has experienced disruptions and difficulties in trade flows, particularly cross-border trade flows. This prompts the importance of the roles played by digital economy, digital tool and platforms in facilitating and fostering the trade flow among LM countries.

Mr. Suriyan explained that the 10-day activity was designed to make cross-border trade and e-commerce practices more efficient and inclusive through digitalization. "By adapting to new technologies, we strengthen our productivity and competitiveness against an ever-evolving regional market," he said.

Mr. Madhurjya Kumar Dutta, Director, Trade and Investment Department, Mekong Institute (MI)



Mr. Madhurjya Kumar Dutta welcomed the participants to MI's E-training. He briefly explained the following aspects of the Lancang–Mekong Cooperation Framework: (i) geographical coverage, (ii) priority sectors, and (iii) the project on "Upgrading Border Facilitation: Trade and Logistics Development" funded by LMCSF and being implemented by MI in collaboration with the Ministry of Commerce, Royal Government of Thailand since 2018.

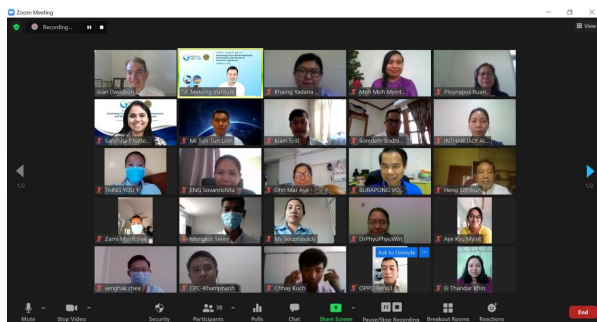
As for the E-training program, Mr. Dutta provided an overview of the E-training objectives, contents, approach and methodology, composition of participants, resource persons, and program agenda, respectively.

5.2. Module 1: Electronic Transactions and Use of Electronic Signatures (ET&ES) in Digital Age

Dr Alan Davidson, Academic | Solicitor and Barrister | Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce

Dr. Alan Davidson delivered the sessions on: (1) Importance of and Trends in ET&ES; (2) Definitions and Concepts; (3) Concept of Cross-border ET&ES; and (4) Border Trade Facilitation and Cross-Border Transactions with the session summary as below:

Electronic commerce and the law of contract



Commerce is typically about profit. It always involves risk. Risk assessment in commerce involves consideration of such factors as the law of contracts. Many commercial parties have braved the new electronic commerce world without knowing or understanding the legal implications of their actions. In many instances commercial parties have embraced electronic commerce because of its efficiencies, and thus

profits. A new order is emerging in this world in a manner not dissimilar to the onset of *lex mercatoria*.

In an attempt to ensure confidence, many international organisations have proposed treaties, model laws and protocols to encourage certainty and stability for international electronic commercial practices and in relation to laws of contract.¹ The UNCITRAL Model Law of Electronic Commerce

¹ These organisations have included the Organisation for Economic Cooperation and Development (OECD) www.oecd.org/development/electroniccommerce.htm; the United Nations; the Asia-Pacific Economic Cooperation forum (APEC) www.apec.org; the International Chamber of

(Model Law) has proved the most popular, with significant international acceptance by national legislatures, including those of Australia and New Zealand. More recently the UN passed the Convention on the Use of Electronic Communications in International Contracts.²

This paper addresses the regulation of, and legislative responses to, electronic contracting. It challenges the wisdom of and necessity for legislation based on the Model Law, and the introduction of the concept of consent as a precondition for the application of selected legislative provisions. This chapter does not deal with the basic principles of contract law; they are dealt with most satisfactorily in many texts.

UNCITRAL Model Law of Electronic Commerce and the Communications Convention

In 1996 the UN Commission on International Law Trade (UNCITRAL) released what is now the most popular model for consumer and commercial protection in an electronic environment. The UNCITRAL Model Law on Electronic Commerce³ was intended to provide national legislatures with a template of internationally acceptable rules that would remove legal obstacles and create a more secure legal environment for electronic commerce. The Model Law was intended to facilitate the use of electronic communication and the digital storage of information. It provided standard ways to assess the legal value of electronic messages and legal rules for electronic commerce in specific areas such as carriage of goods.

The Model Law has gained significant international acceptance. The drafting process was attended by representatives of over 50 nations and ten international organisations.

The Model Law does not specifically refer to contract law. Instead it deals with the principle of functional equivalence of electronic media in commercial transactions.⁴ That is, where the electronic form is functionally equivalent to the traditional form, it should be treated equally by the law. This principle permeates all legislation based on the Model Law. A second principle underlying the Model Law is that of technology neutrality (the term was chosen in response to the recognition that technology is constantly developing). For example, as 'electronic mail' connotes a certain medium, the Model Law uses the general expression 'data message'.

The Model Law addresses:

- legal recognition of data messages;
- writing;

Commerce (ICC) www.iccwbo.org; the World Trade Organisation (WTO) www.wto.org/english/tratop_e/ecom_e/ecom_e.htm; and the UN Commission on International Trade Law (UNCITRAL) www.uncitral.org.

² The Convention entered into force on 1 March 2013.

³ General Assembly Resolution 51/162 of 16 December 1996, amended in 1998. Available at www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/1996Model.html.

⁴ See Official Guide to Enactment of the UNCITRAL Model Law on Electronic Commerce, Clause 15 et al.: www.uncitral.org/pdf/english/texts/electcom/05-89450_Ebook.pdf.

- signatures;
- originals;
- admissibility and evidentiary weight of data messages;
- retention of data messages;
- formation and validity of contracts;
- recognition by parties of data messages;
- attribution of data messages;
- acknowledgment of receipt; and
- time and place of dispatch and receipt of data messages.⁵

The Model Law represented a giant step forward in relation to the regulation of electronic commerce and largely achieved its objectives of removing legal obstacles, promoting certainty, providing a more secure legal electronic commerce environment and being 'of use to individual users of electronic commerce in the drafting of some of the contractual solutions that might be needed to overcome the legal obstacles'.⁶ Nevertheless, the Model Law represents 1990s thinking and reflects the limited understanding of the issues at that time. It has become dated with the advent of newer technology and the even greater uptake of that technology. More significantly, case law has closely scrutinised the provisions and revealed flaws.

In 2005 UNCITRAL released the Convention on the Use of Electronic Communications in International Contracts (Communications Convention).⁷ The Communications Convention is intended to assure companies and traders internationally that contracts negotiated electronically are as valid and enforceable as traditional paper-based transactions. The provisions build on the Model Law and the UNCITRAL Model Law on Electronic Signatures (2001).⁸ The Communications Convention made the following improvements:

- extended definitions;
- improved the test for an electronic signature;
- reformulated the test for time of dispatch and time of receipt; and
- introduced provisions applying to contracts involving electronic communications; invitation to make offers, use of automated message systems for contract formation and errors in electronic communications.

⁵ See Model Law, Arts 5 to 15.

⁶ Official Guide to Enactment of the UNCITRAL Model Law on Electronic Commerce, Clause 2.

⁷ Available at: www.uncitral.org/pdf/english/texts/electcom/06-57452_Ebook.pdf.

⁸ Available at www.uncitral.org/pdf/english/texts/electcom/ml-elecsig-e.pdf. The Model Law of Electronic Signatures has not achieved the same level of acceptance as the Model Law of Electronic Commerce. Nevertheless, its principles and deliberations have influenced the Communications Convention.

To date the Communications Convention has been signed by many nations and ratified by five.⁹ Australia has stated that it will ratify the Convention.

Australia

All Australian states and territories and the Commonwealth have passed amending legislation to conform to the Communications Convention. In 2010 the Attorneys-General of the Commonwealth, states and territories agreed to amend their respective Electronic Transactions Acts, following which the Commonwealth government stated that it will accede to the Convention. However, to date this has not taken place.

The *Electronic Transactions Act 1999* (Cth) is based on the Model Law and was amended in 2011 to adopt the terms of the Communications Convention. All Australian states and territories have enacted parallel legislation.¹⁰ The Federal Attorney General stated that the 'enactment of the uniform Bill will achieve the Commonwealth's goal of national uniform legislation to remove the legal impediments facing electronic transactions'.¹¹ The stated objects within the Act are to provide a regulatory framework that:

- recognises the importance of the information economy to the future economic and social prosperity of Australia;
- facilitates the use of electronic transactions;
- promotes business and community confidence in the use of electronic transactions; and
- enables business and the community to use electronic communications in their dealings with government.¹²

Online cross-border services have developed rapidly due to economic globalisation, the development of electronic commerce and the impact of internet technology. Cross-border online services is growing industry, notably social networking – for example with Facebook, Instagram, Youtube, TaoBao, Shopee and others.

The continues to be an increasing demand for foreign goods, resulting in the expansion of cross-border online services across all sectors of society. The pace of reform has caused some nations to be caught short with regard to law and regulation.

Cross-border online services face many disadvantages. Some online shop services entrusted from abroad have adopted a false declaration, a hidden declaration, to avoid customs supervision and

⁹ Congo, Dominican Republic, Honduras, Russian Federation and Singapore. For an up-to-date list, see www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce/2005Convention_status.html.

¹⁰ *Electronic Transactions Act 2000* (NSW), *Electronic Transactions (Queensland) Act 2001* (Qld), *Electronic Transactions Act 2000* (SA), *Electronic Transactions Act 2000* (Tas), *Electronic Transactions (Victoria) Act 2000* (Vic), *Electronic Transaction Act 2011* (WA), *Electronic Transactions Act 2001* (ACT), *Electronic Transactions (Northern Territory) Act 2000* (NT). References to Acts in this chapter will be to the corresponding Acts listed here.

¹¹ News release by Federal Attorney General Daryl Williams, April 2000.

¹² Section 3.

avoid the obligation to pay customs. As a result, state revenue has been lost, so that it can damage the interests of the national economy.

China

The Chinese National People's Congress formally issued the "People's Republic of China Electronic Commerce Law", which took effect January 2019. The aim of the legislation is to guarantee the rights and the legitimate interests of the parties in electronic transactions, regulating e-commerce businesses, warehouses, logistics and payment settlement.

Cambodia

<http://www.perfecttranslationservices.com/en/news/law-on-e-commerce>

The Cambodian government enacted the Law on Electronic Commerce on 2 November 2019. The E-commerce Law regulates domestic and cross-border e-commerce activities in Cambodia, establishes legal certainty for electronic transactions, and enacts a number of important protections for consumers. It formally commenced on 2 May 2020. This new Law replaced previous legislation enacted in 2017 (and earlier).

The E-commerce Law applies to commercial and civil acts, documents, and transactions executed via an electronic system. The Law exempts powers of attorney, wills and successions and real estate transactions. The E-commerce Law has 12 chapters, 67 articles, and one annex.

Thailand

The Thai Electronic Transactions Act was initially passed in 2001.

The Amendment to Electronic Transaction Act (No. 3), B.E. 2562 (2019) came into force on 15 April 2019. The Amendments are intended to create greater flexibility for conducting electronic transactions. The amendments:

- recognise contracts concluded by involving automatic electronic data exchange systems
- recognise new criteria for a valid e-signature
- add the ECC concept of "an invitation to make offer"
- permits regulations to certain "service businesses concerning electronic transactions" and require notification, registration or a license before commencing any such businesses, where it is necessary for
 - financial and commercial security;
 - credibility and recognition of electronic transactions systems; and
 - the prevention of damage to the public.

Generally, an e-commerce business must obtain commercial registration from the competent district office, in accordance with the *Commercial Registration Act*.

The Thai Electronic Transactions Act (ETA) is the primary law governing electronic transactions in Thailand. The ETA recognises the formation of a contract electronically and the use of electronic signatures. It sets out the general principle that a contract will not be denied its legal effect and enforceability based solely on the grounds that it is made in the form of a data message. The ETA provides that a contract may be electronic and that a particular document must be in writing or evidenced in writing. A contract is regarded as in writing if it is accessible and usable for subsequent reference. With regard to the content of the contract, the general law of contracts remains unaltered.

The Thai law recognises clickwrap contracts. Under a clickwrap contract, a purchaser is typically prompted to accept or reject the vendor's terms and conditions, by an affirmative click of a button onscreen.

The electronic transaction regime applies to all types of contracts, except for prescribed exemptions in the ETA. These include family law and succession law; Powers of attorney and sale of immovable property agreements.

E-signatures

E-signatures are recognised under Thai law. The use of electronic signatures is governed by the ETA. Section 4 of the Thai ETA defines an electronic signature *as a letter, character, number, sound, or any other symbol created in electronic form and affixed to a data message to establish the association between a person and a data message for the purpose of identifying the signatory who is involved in the data message, and which shows that the signatory approves the information contained therein.*

Where the law requires a contract to be made, evidenced, or presented in writing, the signature requirement can be satisfied by use of an electronic signature.

The ETA prescribes a "method" in general terms for when electronic signature. The method must be capable of identifying the signatory and representing the signatory's intentions regarding the information contained in the electronic data.

The method must be reliable and appropriate for the purpose for which the data message was generated or sent, or is capable of verifying the signatory and representing the signatory's intentions regarding the information contained in the electronic data, along with any other evidence, in the event that the method itself is not sufficient to meet such requirements.

An electronic signature will be deemed reliable if it comprises of following features:

- The signature creation data is, within the context in which it is used, linked to no other person besides the signatory.
- The signature creation data was, at the time of signing, under the sole control of the signatory.
- Any post-signing alteration is detectable.
- Where the signature is meant to indicate that the signatory attests to the completeness and integrity of the information, any alteration made to that information is detectable from the time of affixing the e-signature.

The ETA does not prescribe the format for e-signatures. E-signatures can be made in any format that meet the criteria and requirements prescribed in the ETA, as described above.

United States

The United States *Uniform Electronic Transactions Act 1999* is the product of the National Conference of Commissioners on Uniform State Laws and uses the UNCITRAL Model Law as its template. The Act applies only to transactions between parties who have agreed to conduct transactions by electronic means. The Act defines an 'electronic record' as 'a record created, generated, sent, communicated, received, or stored by electronic means'.¹³ Forty-seven states, the District of Columbia, Puerto Rico, and the Virgin Islands have adopted the *Uniform Electronic Transactions Act*. The remaining three US states have not adopted the uniform Act, but have enacted their own legislation relating to electronic transactions.

United Kingdom

¹³ The US Act is available at euro.ecom.cmu.edu/program/law/08-732/Transactions/ueta.pdf.

In the United Kingdom the two relevant pieces of legislation are the *Land Registration Act 2002* (UK) and the *Electronic Communications Act 2000* (UK).

The *Land Registration Act 2002* replaced 1925 legislation relating to registered land and dealings with unregistered land in England and Wales. Part 8 implements electronic conveyancing processes. An electronic document to which section 91 applies is to be regarded for the purposes of any enactment as a deed. Section 91 applies to certain dispositions (including documents used in conveyancing) in an electronic form which make provision for the time and date when they take effect and include certified electronic signatures of each person by whom they purport to be authenticated. In these circumstances the dispositions are to be regarded as in writing and signed by each individual, and sealed by each corporation whose electronic signature they have. Where notice of assignment made by means of a document pursuant to section 91 is given in electronic form, it is to be regarded for the purposes of any enactment as having been given in writing.¹⁴ Where conveyancing parties utilise an electronic document that states the time and date that it takes effect, and contains the certified electronic signature of relevant parties, it is deemed to be a document in writing. (seems we are again basically listing the provisions. Is this the aim? I thought it was more to analyse and comment on them, assuming readers would be familiar with them, or at least have them in front of them if needed.)(Readers would not be familiar with this)

Subsequent provisions of the *Land Registration Act 2002* allow the registrar to arrange an electronic communications network for a range of purposes such as electronic registration and electronic settlement. Separate rules deal with the communication of documents in electronic form to the registrar and the electronic storage of documents communicated to the registrar in electronic form.

The *Land Registration Act 2002* refers to the *Electronic Communications Act 2000* (UK) to identify what would qualify as an electronic signature and what constitutes a certification.¹⁵ The Explanatory Memorandum to the Act states that the provisions do 'not disapply the formal statutory or common law requirements relating to deeds and documents but deems compliance with them'. The *Electronic Commerce (EC Directive) Regulations 2002* (UK) implemented the EU's Electronic Commerce Directive 2000. The Directive was introduced to clarify and harmonise the rules of online business throughout Europe with the aim of boosting consumer confidence. The United Kingdom did not make specific separate provisions on electronic transactions because the government viewed the statutory requirements for writing and a signature as already capable of being satisfied by email and by online trading. This view is based on the report on electronic commerce by the Law Commission for England and Wales in 2001.¹⁶

India

¹⁴ Section 91(10) provides: 'In this section, references to an electronic signature and to the certification of such a signature are to be read in accordance with section 7(2) and (3) of the *Electronic Communications Act 2000* (c. 7).'

¹⁵ See Signatures, below.

¹⁶ Law Commission for England and Wales, 'Electronic Commerce: Formal Requirements in Commercial Transactions', 2001.

India has developed as a world leader in information technology. In 2000 it enacted the *Information Technology Act 2000*, based on the UNCITRAL Model Law of Electronic Commerce 1996. As with the many nations adopting the Model Law, the Act deals with provisions validating electronic signatures and electronic writing, attribution, acknowledgement and dispatch of electronic records. The Indian legislation was substantially amended by the *Information Technology (Amendment) Act 2008* and now provides comprehensive laws dealing with electronic security, certification authorities for digital signatures and electronic evidence. It includes extensive provisions dealing with cyberterrorism and data protection. Most notably, the Act makes provision for a range of cyber offences and sets up the Cyber Appellate Tribunal.¹⁷

Electronic contracts

Contract formality does not alter merely because an electronic medium was used. Simple contracts requiring no formality are entered into daily. A contract which can be entered into orally can of course be entered into by use of email and other forms of electronic communication. This is not new. The first electronic contract was entered into in the mid-1800s, when the telegraph was first in commercial use.¹⁸ The courts have had little difficulty recognising contract formation by electronic means.¹⁹ However, the perception in the 1990s was that commercial parties were uncertain of the use of electronic media where formal requirements such as writing, signature, production and retention were concerned.

The term 'transaction' is defined as including:

- (a) any transaction in the nature of a contract, agreement or other arrangement; and
- (b) any statement, declaration, demand, notice or request, including an offer and the acceptance of an offer, that the parties are required to make or choose to make in connection with the formation or performance of a contract, agreement or other arrangement; and
- (c) any transaction of a non commercial nature.²⁰

¹⁷ See catindia.gov.in.

¹⁸ The first Australian case to mention electronic commerce, by referring to the 'telegraph', was *R v Rowlands* [1837] TASSupC 10 in the Supreme Court of Van Diemen's Land, 22 August 1837. The first English case to refer to a contract by 'electric telegraph' was *Walsh v Ionides* [1853] EngR 64; 118 E.R. 479.

¹⁹ For example, see *Brinkibon Ltd v Stahag Stahl und Stahlwarenhandels-gesellschaft mbH* [1983] 2 AC 34, *Reese Bros Plastics Ltd v Hamon-Sobelco Aust. Pty Ltd* (1988) 5 BPR 11, 106, *Databank Systems Ltd v Commissioner of Inland Revenue* [1990] 3 NZLR 385 and *Walsh v Ionides* [1853] EngR 64; 118 E.R. 479.

²⁰ Cth – s5, NSW – s5, Qld – Sch 2, SA – s5, Tas – s3, Vic – s3, WA – s5, ACT – s5, NT – s5. The New Zealand Act defines 'transaction' as including a transaction of a non-commercial nature, a single communication and the outcome of multiple related communications.

The Electronic Transactions Acts do affect key elements of contracts, such as the timing and place of communications, records and documents, and the basic constructs of offer and acceptance. These Acts are predicated on the use of 'electronic communication', defined as:

- (a) a communication of information in the form of data, text or images by means of guided and/or unguided electromagnetic energy; or
- (b) a communication of information in the form of speech by means of guided and/or unguided electromagnetic energy, where the speech is processed at its destination by an automated voice recognition system.²¹

Exemptions

The Model Law and the ECC understand that nations may wish to include specific exemptions.

The Guide to the UNCITRAL Model Law explains that the matter of specifying exclusions should be left to enacting states, to take better account of differences in national circumstances. However, it warned that the objectives of the Model Law 'would not be achieved' if legislators used 'blanket exceptions'.²²

Many exemptions may be based on the assumption that traditional paper or hardcopy will be required in exempted situations. Such an assumption is fundamentally flawed. An exemption does not equate to a paper or hardcopy requirement. It merely means that the Act does not apply in that situation. The situation then falls to the general law: the courts will in these circumstances independently determine that a given electronic communication or document will or will not suffice for a particular requirement. Indeed there are a handful of cases which have already so held.²³

New Zealand

The *Electronic Transactions Act 2002* (NZ) provides for exemptions to be listed in the Schedule to the Act (section 14). The Schedule lists more than 40 specific and general exemptions, including: notices that are required to be given to the public; information that is required to be given in writing either in person or by registered post; affidavits, statutory declarations, or other documents given on oath or affirmation; powers of attorney; testamentary instruments; negotiable instruments; and documents to files or produced in connection with judicial proceedings. The list is so broad as to risk falling into the UNCITRAL Guide's 'blanket exemption' and to thwart functional equivalence. Parties entering into contracts using electronic means under New Zealand law must be cognisant of the length and breadth of these exemptions, which substantially reverse the Act's effect.

Validity of electronic transactions

²¹ Cth – s5, NSW – s5, Qld – Sch 2, SA – s5, Tas – s3, Vic – s3, WA – s5, ACT – s5, NT – s5. The New Zealand Act defines 'electronic communication' as 'a communication by electronic means', and defines 'electronic' as including 'electrical, digital, magnetic, optical, electromagnetic, biometric, and photonic'.

²² Guide to the UNCITRAL Model Law, Clauses 52 and 69.

²³ See *Common law*, above; *McGuren v Simpson* [2004] NSWSC 35; *Hume Computers Pty Ltd v Exact International BV* [2007] FCA 478; *Wilkins v Iowa Insurance Commissioner* (1990) 457 NW 2d 1.

General provision (Functional equivalence)

MLEC

Article 5. Legal recognition of data messages

Information shall not be denied legal effect, validity or enforceability solely on the grounds that it is in the form of a data message.

ECC

Article 8. Legal recognition of electronic communications

1. A communication or a contract shall not be denied validity or enforceability on the sole ground that it is in the form of an electronic communication.

2. Nothing in this Convention requires a party to use or accept electronic communications, but a party's agreement to do so may be inferred from the party's conduct.

Writing

MLEC

Article 6. Writing

(1) Where the law requires information to be in writing, that requirement is met by a data message if the information contained therein is accessible so as to be usable for subsequent reference.

ECC

Article 9. Form requirements

2. Where the law requires that a communication or a contract should be in writing, or provides consequences for the absence of a writing, that requirement is met by an electronic communication if the information contained therein is accessible so as to be usable for subsequent reference.

Note the impact of the expression "Permission".

Signatures

Legislation which requires writing typically also requires a signature by the maker. A person who under a law is required to give a signature may, pursuant to and subject to conditions under the Electronic Transactions Acts, use an alternative method of authenticating their identity in relation to an electronic communication.

Legislation should not be based on the various functions that a signature may have in a paper-based environment. Such an approach places undue emphasis upon concepts peculiar to paper, and also risks tying the legislation to a particular state of technical development. The UNCITRAL Model Law and the UN Communications Convention concentrate upon two basic functions of a signature: first, to identify the author of a document and second, to indicate the person's intention in respect of the

information being communicated. It does not deal specifically with the integrity of the document itself.²⁴

Consent

The UNCITRAL drafters of the ECC considered that:

electronic records can provide the same level of security as paper and, in most cases, a much higher degree of reliability and speed, especially with respect to the identification of the source and content of the data, provided that a number of technical and legal requirements are met.²⁵

Their only stated reservation was that the adoption of the functional equivalence approach 'should not result in imposing on users of electronic commerce more stringent standards of security (and the related costs) than in a paper-based environment'.²⁶

When adopting the functional equivalence approach, the UNCITRAL drafters gave due attention to the existing hierarchy of form requirements, which provides distinct levels of reliability, traceability and inalterability with respect to paper-based documents. The Model Law does not attempt to define a computer-based equivalent to any kind of paper document. Instead, it sets out basic functions of paper-based form requirements. Once these requirements have been met, all transactions should 'enjoy the same level of legal recognition'. (I would rather retain the whole quote)²⁷

Time and place of dispatch and receipt of electronic communications

The time and place of the dispatch and receipt of electronic communications can have significant impact in commerce, particularly in the law of contract. Strict rules have developed in relation to the time and place of offer and acceptance in contract law. This may have a bearing on the applicable jurisdiction or contract formation. The *Electronic Transactions Acts* of Australia and New Zealand include provisions based initially on the UNCITRAL Model Law and modified in Australia by amendments in conformity with the UN Communications Convention that attempt to resolve uncertainties in this area. The time of dispatch and time of receipt must be considered in conjunction with common law rules of offer and acceptance and the timing of contract formation. One must also ask whether the postal acceptance rule can or should apply to electronic mail and other forms of electronic communications and, if it does, how it interacts with the legislation.

Time of dispatch

- ▶ MLEC Article 15

²⁴ See *Official Guide to Enactment of the UNCITRAL Model Law on Electronic Commerce* and the Explanatory Note by the UNCITRAL secretariat on the *United Nations Convention on the Use of Electronic Communications in International Contracts*.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid., para 18. For example, see Art. 11 – Formation and validity of contracts.

- ▶ (1) Unless otherwise agreed between the originator and the addressee, the dispatch of a data message occurs when it enters an information system outside the control of the originator or of the person who sent the data message on behalf of the originator.
- ▶ EEC Article 10
- ▶ 1. The time of dispatch of an electronic communication is the time when it leaves an information system under the control of the originator or of the party who sent it on behalf of the originator or, if the electronic communication has not left an information system under the control of the originator or of the party who sent it on behalf of the originator, the time when the electronic communication is received.

Place of dispatch and place of receipt

- (1) For the purposes of a law of this jurisdiction, unless otherwise agreed between the originator and the addressee of an electronic communication:
 - (a) the electronic communication is taken to have been dispatched from the originator's place of business, and
 - (b) the electronic communication is taken to have been received at the addressee's place of business.
- (2) For the purposes of the application of subsection (1) to an electronic communication:
 - (a) a party's place of business is assumed to be the location indicated by that party, unless another party demonstrates that the party making the indication does not have a place of business at that location, and
 - (b) if a party has not indicated a place of business and has only one place of business, it is to be assumed that that place is the party's place of business, and
 - (c) if a party has not indicated a place of business and has more than one place of business, the place of business is that which has the closest relationship to the underlying transaction, having regard to the circumstances known to or contemplated by the parties at any time before or at the conclusion of the transaction, and
 - (d) if a party has not indicated a place of business and has more than one place of business, but paragraph (c) does not apply-it is to be assumed that the party's principal place of business is the party's only place of business, and
 - (e) if a party is a natural person and does not have a place of business-it is to be assumed that the party's place of business is the place of the party's habitual residence.²⁸

²⁸ NSW – s13B. Other Australian jurisdictions have identical or substantially identical provisions: Cth – s14B, Qld – s25, SA – s13B, Tas – s11B, Vic – s13B, WA – s15, ACT – s13B, NT – s13B, New

These rules may be important in determining the law to be applied, or the forum, in the event of a dispute. It is not proposed to deal with the various rules of private international law and domestic conflict of laws rules here. However, circumstances may arise where the place of contract formation determines which laws or which forum may be applicable.²⁹

Again, the term 'electronic communication' applies to emails, instant messages and SMS, present and future technologies. The provision is a default rule. The parties may have 'otherwise agreed' to alternative arrangements.

Critique

The impact of the legislation has been broad, extending beyond internet transactions. Those jurisdictions with broad blanket exemptions should reconsider. The impact has not been fully appreciated, and such exclusions impact functional equivalence and are outdated in the modern digital age. Within Australia the differences between the states and territories' legislation must be noted. There are several stylistic changes, particularly in the Queensland legislation, which a court may regard as deliberate and significant in a given factual situation. Though the states and territories generally resisted divergences in an attempt to maintain national uniformity, stability and certainty, uniform legislation would be preferable.

The major advantage of legislation based on the UNCITRAL Model Law and the UN Communications Convention is that it provides an even platform for national legislatures. An international approach provides a level of uniformity that is desirable, if not necessary, for international commerce.

Although the Electronic Transactions Acts create a regulatory regime for the use of electronic communications in transactions, they do not remove any legal obligations that may be imposed upon a person by other laws. The major purpose of the Acts is to enable people to use electronic communications in the course of business operations and to satisfy their legal obligations.

However, the legislation is largely unnecessary and often redundant. It was introduced before the courts had had the opportunity to adequately apply common law precepts to the new technologies and circumstances. The limited cases to date support this view.³⁰ The analysis of the provisions of the legislation, the misconceived consent requirement and the advent of new and changing technologies not considered by the legislators all lead to the conclusion that the legislation should be reviewed. The Law Commission for England and Wales, in its paper 'Electronic Commerce: Formal requirements in Commercial Transactions – Advice from the Law Commission', recommended that there was 'no need' for legislation based on the UNCITRAL Model Law for most purposes:

Zealand – ss12–13. The New Zealand provisions contain the same principle, but are much less verbose.

²⁹ See *Rock Solid Surfaces Pty Ltd v Biesse Group (Australia) Pty Ltd* [2011] FCA 42.

³⁰ See Common law, above; *McGuren v Simpson* [2004] NSWSC 35, *Hume Computers Pty Ltd v Exact International BV* [2007] FCA 478 and *SM Integrated Transware v Schenker Singapore Ltd* [2005] 2 SLR 651.

We conclude that in most contexts e-mails (and attachments) and website trading (but not EDI) are already capable of satisfying the statutory form requirements existing in English law in the areas considered in this Advice. To that extent we suggest that there is no need to consider adoption in this country of the UNCITRAL Model Laws.³¹

The consent provisions are ill-considered and unsound. The writing, signature, production and retention requirements are superfluous. The exemptions are inconsistent across jurisdictions, giving rise to confusion and inconsistencies. The exemptions under the Commonwealth legislation are so broad as to frustrate the Act's operation. A major joint state and territory review is recommended, with a view to curtailing unwarranted and undesirable provisions and enacting streamlined uniform legislation.

5.3. Module 2: Status and Frameworks in the LM Countries

5.3.1. Session 1: International Frameworks and Practices

Mr. Luca Castellani, Legal Officer, UNCITRAL



Mr. Luca Castellani presented the session on International Frameworks and Practices. The session summary is provided as below:

Successful implementation of ICT policies

- Success in promoting ICT requires:
 - sound policy decisions and their implementation;
 - a robust technical infrastructure; and
 - a supportive legal environment.
- Need to harmonise national legal frameworks and promote international ones.
- Two legislative approaches have emerged:
 - Based on specific technologies
 - Secure and predictable;
 - Based on technology neutrality
 - Flexible and open to future developments.
- The second approach has proven to be more effective, especially across borders.

Cross-border e-commerce laws

- Legal uniformity and technology neutrality are key factors in promoting mutual legal recognition and interoperability.



³¹ Paragraph 2.15, available at www.lawcom.gov.uk/docs/e-commerce.pdf.

- UNCITRAL texts have been adopted by more than 100 States
 - Standard in East Asia, South-East Asia, Pacific...
- Uniform legislative standards are emerging also in other e-commerce fields (e.g., cybercrime and the Budapest Convention).
- However, work on cross-border e-commerce law is only loosely coordinated.
- Noteworthy developments in free trade agreements (FTAs)

Digital economy law and free trade agreements

- Free Trade Agreements contain chapters on e-commerce and paperless trade facilitation
 - CPTPP and RCEP
 - WTO plurilateral Joint Statement Initiative
- Dedicated treaties:
 - Digital Economy (Partnership) Agreement
 - WTO Trade Facilitation Agreement
 - ESCAP Framework Agreement on Paperless Trade Facilitation
- These agreements influence the content of domestic law
 - Important also for States that are not directly involved

CPTPP and RCEP

- Chapter 14 of the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) and chapter 12 of the Regional Comprehensive Economic Partnership (RCEP) aim to promote e-commerce and paperless trade facilitation
- Comprehensive formulation of e-commerce provisions:
 - Pursue mutual legal recognition and interoperability;
 - Endorse the principles of non-discrimination and technology neutrality, including with respect to e-signatures;
 - Explicitly refer to a duty to adopt UNCITRAL texts (e-CC and MLEC, (or other texts in RCEP));
 - Allow mandating the use of specific technologies for certain types of transactions.

WTO TFA

- WTO Trade Facilitation Agreement art. 10.4.1: "Members shall, to the extent possible and practicable, use information technology to support the single window."
 - Cautious approach but clear way forward based on the concept of e-SW
 - Significant amount of technical assistance provided by EIF to design and implement e-SW
- Establishes general principles on the use of electronic communications, including electronic contracting:
 - A limited number of provisions are sufficient to accommodate the use of electronic means.
 - General contract law is not amended.
- Examples of applications that share same legislative principles:
 - e-payments through interbank systems such as SWIFT;
 - m-payments;
 - electronic single window (trade facilitation);
 - e-procurement (increasing transparency and efficiency in private and governmental purchases).

The contribution of UNCITRAL

- UNCITRAL is the core legal body of the United Nations system in the field of commercial law
 - Has operated for 50 years based on universal membership
- Its business is the modernization and harmonization of rules on international business by drafting treaties, model laws and other legal texts
- Number of successful texts (arbitration, sale of goods, etc)
- UNCITRAL started working on legal aspects of electronic commerce already in the 1980s:
 - Electronic data interchange (EDI)
 - Electronic payments

UNCITRAL texts on electronic commerce

- UNCITRAL Model Law on Electronic Commerce, 1996
 - Enacted in over 70 States
- UNCITRAL Model Law on Electronic Signatures, 2001
 - Enacted in over 30 States
- United Nations Convention on the Use of Electronic Communications in International Contracts, 2005:
 - 18 signatories, 15 States parties
- UNCITRAL Model Law on Electronic Transferable Records, 2017
 - Enacted in 2 States
- Texts, status, preparatory and explanatory materials are available on the UNCITRAL website

Lessons Learned

Legislation should:

- establish legal validity and provide legal certainty;
- facilitate rather than regulate electronic commerce;
- adapt existing legal requirements.

In order to do so, legislation should be based on three fundamental principles:

- non-discrimination;
- functional equivalence;
- technology neutrality;
- and should allow for variation by contractual agreement.

5.3.2. Session 2: Frameworks and Measures in Asia Pacific: (a) e-ASEAN Framework Agreement

Mr. Bryan Tan, Partner, Pinsent Masons; and UNNExT expert

Mr. Bryan Tan presented the session on Frameworks and Measures in Asia Pacific: (a) e-ASEAN Framework Agreement.

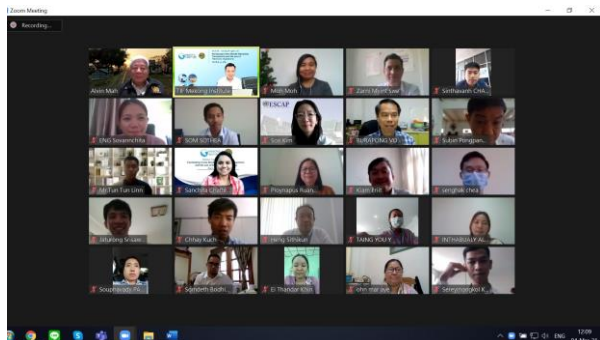
The e-Asean framework agreement marked a concerted attempt to spur e-commerce in Asean. Taking into account the different member states' start points, the focus was then on adopting appropriate legislation and capacity building. The long term is to enable cross-border electronic transactions and for a harmonised legal infrastructure. With the Asean Single Window (ASW), limited use to specific documents has seen productivity gains but there is more to go.



Q&A – questions on the progress of the ASW and the relevance to wider agreements such as the WTO Trade Facilitation Agreement and the Cross-Border Paperless Trade Framework Agreement were discussed.

5.3.3. Session 3: Frameworks and Measures in Asia Pacific: (b) Automated customs systems, the ASEAN Single Window (ASW) and National Single Windows (NSWs)

Mr. Alvin Mah, UNNExT expert



In this session, the training commenced with the presentation on the aspects of a National Single Window. The topics included an overview of the definitions for the National Single Window by various international organizations i.e., World Customs Organization (WCO), The United Nations Centre for Trade Facilitation and Electronic Business (UNCEFACT) and World Trade Organization (WTO). Clarification was provided for the difference and similarities between an automated customs system and a National Single Window.

Critical success factors for the establishment of a National Single Window were also discussed, emphasizing on the importance of strong political will, a structured governance and platform for inter-agency collaboration. Example models were also provided for several countries in the region. Emphasis was also made on the important for a legal framework for e-commerce and cross border data exchanges.

The training then moved into the ASEAN Single Window. The chronology of events showed the linkage between e-ASEAN and the ASEAN Single Window. Mooted in 2003 and eventually agreement signed in 2005. ASEAN Single Window's journey to the live implementation being the exchange of ATIGA Form D was discussed and the challenges identified. Discussion was also held pertaining to the difference governance between ASEAN and the European Union and that such differences would have achieved a vast difference in the journey of ASEAN Single Window which took approximately 15 years.

Discussion was also held pertaining to trade facilitation measures which e.g., Non-Tariff Measures (NTM), Technical Barriers of Trade (TBT) and Sanitary & Phytosanitary (SPS) measures. These topics were for the benefit of participants who were not of customs background but primarily in trade agencies.

Information were also provided pertaining to trade facilitation measures in e-commerce and methods of utilizing e-commerce as an instrument to strengthen the economics pillars of a country, especially those areas affected by the pandemic.

The final part of the session discussed of the readiness of the National Single Window of each participants' country on the possibility of joining regional frameworks e.g., UNESCAP Framework Agreement on the Facilitation of Cross-Border Paperless Trade in Asia and the Pacific, ASEAN Single Window and even the conceptualization of a project relating to Lancang-Mekong members states. Assignments in preparation for Session II c were handed out to the participants, in the form of selected questions from a technical checklist. This checklist is part of the readiness assessment in preparation to participant in the UNESCAP Framework Agreement.

Participants from Cambodia, Lao PDR and Myanmar participated actively in answering the assignment questions.

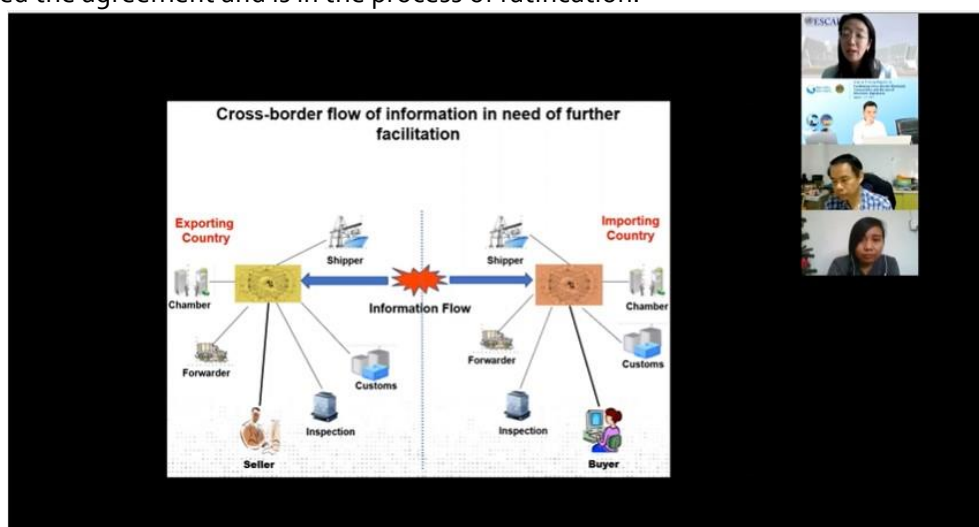
5.3.4. Session 3: Frameworks and Measures in Asia Pacific: (c) The Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

Ms. Soo Hyun Kim, MI Consultant, Economic Affairs Officer, ESCAP



The session commenced with the overview of the state of implementation of cross-border paperless trade measures in Asia-Pacific economies. This was followed with an overview of the Framework Agreement on the Facilitation of Cross-Border Paperless Trade in Asia and the Pacific. Explanations were provided for the 16 Articles of substantive clauses of the agreement.

The current status of the agreement was presented, and that the agreement will enter into force on February 20, 2021 with the ratification by Azerbaijan, Bangladesh, China, Islamic Rep. of Iran, the Philippines. Armenia and Cambodia and signed the agreement and is in the process of ratification.



The benefits of participation into the Framework Agreement was elaborated i.e.

- Region wide multilateral intergovernmental platform - Builds upon existing bilateral/sub regional initiatives; Supports WTO TFA implementation; Forster harmonization and minimize necessity for numerous bilateral/sub regional intergovernmental approach;
- Strong capacity building programme - Inclusive initiative, open to Asia Pacific countries at all levels of development; Strong emphasis on knowledge sharing and CB/TA among parties
- Pilot projects - Allow parties to adjust their systems before engaging in actual cross border trade data exchange.
- Action Plan - Allow parties with different implementation level to set actions based on their respective readiness.
- Mutual recognition

For reference materials, participants were provided with 14 materials in relation and United Nations and World Customs Organizations recommendation and insights into single window, cross border data exchanges and e-commerce trade facilitation measures.

We are glad to report that the participants were interactive in their participation into both Sessions II b and Sessions II c. The same interaction can also be said for the private sector participants who shared equal enthusiasm with their government related co-participants.

5.4. Module 3: Status and Frameworks in the LM Countries

5.4.1. Session 1: Status of ET&ES in the Thai Customs Department and Thailand National Single Window

Mr. Sapphasuk Wijaiworakit & Mr. Krisorn Somnuk, Thai Customs Department



The initiatives in utilizing the information Technology by Thai Customs Department have been taken for over two decades. It intensified the establishment of information systems as adopted the international standard regarding the electronic data exchange. At the beginning of the transition to paperless, the Electronic Data Interchange (EDI) for the electronic transmission of the customs declarations submitted by the entrepreneurs was introduced. The EDI still

required the hardcopy to assure the identification of the traders who were relevant to those consignments. The innovation of paperless trading has rapidly developed; therefore, Thai Customs Department made major changes on the system to make it almost fully electronic environment at the initial stage. The system was named as e-Customs and came up with a proven secure mechanism for the exchange of electronic transactions related to custom procedures. Digital signature is used to identify the real sender of electronic documents and promotes a reliable paperless environment. The e-Customs system was names as the Thai Customs Electronic System (TCES) and the National Single Window was established initially in 2008 to expand the use of electronic transactions and digital signature to other government agencies. The mission of the Thai Customs Department is promotion of trade facilitation and security for the benefit of relevant stakeholders involved in electronic procedures, such as through reduction of business cost and time, the elimination of paperwork and human errors. The Thai Customs Department as the leading agency, initiating the National Single Window and coordinating with the relevant government authorities and business sectors to participate in the exchange of trade and transport related documents via the National Single Window system has jointly implemented the system in accordance with the Single Window recommendations from well-known international organizations. The full-service customs integrated systems to seamlessly facilitate the import, export, and logistics have now been launched. Wide use of electronic transactions has been brought about by cross-border data linkages in the ASEAN region. The ASEAN Single Window implementation began in 2018 and generated awareness on the use of secure channels and documents by utilizing the digital signature. The substance of electronic transactions has to rely on the electronic signature for generating trust. The Thai Customs Department has been using advanced and powerful electronic signatures called the digital signature for more than 10 years. The crucial aspects of the digital signature are comprised of data integrity, authentication, non-repudiation, and confidentiality. Thailand is currently utilizing digital signature nationwide based on the Public Key Infrastructure (PKI) technology that is able to assure invulnerable electronic transactions.

5.4.2. Session 2: Frameworks of ET&ES in the Thai Customs Department and Thailand National Single Window

Mr. Sapphasuk Wijaiworakit & Mr. Krisorn Somnuk, Thai Customs Department

There are consecutive frameworks the Thai Customs Department has adopted since the initial establishment of the EDI system for the customs partial electronic procedures. The recommendations from the United Nations agencies, such as the UN/EDIFACT and UN/CEFACT have been applied for aligning the development of data exchange systems with international standards in order to introduce the same standard utilized by other government agencies for furthering the integration of electronic documents through National Single Window. The World Customs Organization (WCO) standard tools and instruments have been utilized for both procedures and innovation in Thai Customs missions. For instance, the WCO Revised Kyoto Convention is followed for modernizing customs formalities, standardizing customs control and risk management, and mitigating the burden of trade activities. In the purview of the information technology alignment with the WCO, the most useful tool for the exploration of the cross-border data exchange methodology is WCO Data Model (WCO DM). The two major functions of the WCO DM are 1) the relationship of the business process and the trade related documents and 2) the data structure with its schema for each electronic document. The national standard data set for the import and export related documents mostly complies with the WCO DM. With reference to the participation in the ASEAN Single Window establishment and implementation, which is presently applied only cross-border electronic data exchange of Thai Customs Department, the legal frameworks have been in place, i.e. Agreement, Protocol, and MOU and technically ASEAN Data Model. In addition to the provision of the electronic as well as the digital signatures, Thailand's practices have also been influenced by other international and national organizations' guidelines. Electronic Transactions Development Agency (ETDA) which is under the Ministry of Digital Economy and Society, is a national organization set up to establish national standards for the electronic transactions and pertinent technical aspects to be utilized by the relevant entities. The ETDA drafted the Electronic Transactions Law and the Recommendation on ICT Standard for Electronic Transactions including the use of Electronic Signatures. These contain useful guidance on the utilization of electronic signatures to secure electronic transactions. Levels of risk acceptance need to be agreed between business partners and regulatory agencies for the exchange of e-documents. The ETDA also advises on the application of digital signature in exchange of e-documents using XML format in accordance with the Electronic Business Extensible Markup Language (eXML) technology which Thailand National Single Window and ASEAN Single Window are implementing for the exchange of trade related data, e.g. the electronic certificate of origin.

5.4.3. Session 3: Issues and Challenges of ET&ES in the Thai Customs Department and Thailand National Single Window

Mr. Sapphasuk Wijaiworakit & Mr. Krisorn Somnuk, Thai Customs Department



The Thai Customs Department recognized the need to transform the manual process into the paperless system since there were many issues encountered by both traders and officials. The Thai Customs Department has learnt from the WCO and Thailand continually adopts and applies in the customs affairs relevant WCO agreements. The WCO SAFE Framework is a valuable tool to assist members in hindering

terrorism, securing revenue collection and promoting trade facilitation. The Thai Customs Department aligns with the WCO SAFE Framework to prevent terrorism as well as fraudulent trading and balance it with trade facilitation by developing more projects between dialogue partners and domestic stakeholders. The implementation of Mutual Recognition Arrangement of the AEO program to secure and facilitate customs formalities with some countries is in progress. Prearrival processing for receiving advance information from exporting countries to be utilized for both risk assessment and the import customs clearance has been in place at some Thai Customs offices to facilitate the customs procedures prior to arrival of goods. Better security measures to address the existing concerns of the Thai Customs systems and Thailand National Single Window, the use of digital signature to protect the electronic transactions from the multichannel and high-risk cybercrime are required. Thailand plans to standardize the Certificate Authorities, who usually issue the trusted digital certificates for the customers. PKI for cross border transactions must be certified by the National Root Certificate Authority (NRCA) as the prerequisite for acceptance by partner countries. Continuous updating of innovation trends and digital disruption that are capable of having an impact on the operation with electronic systems should be conducted to come up with resolutions and enhancement to sustain the utilization of ET&ES by relevant stakeholders.

5.4.4. Session 4: Frameworks and Measures in Asia Pacific: (a) e-ASEAN Framework Agreement

Dr Alan Davidson, Academic | Solicitor and Barrister | Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce

In this session, Dr. Alan Davidson provided the session on Frameworks and Measures in Asia Pacific: (a) e-ASEAN Framework Agreement with session summary as below:

The UN Framework Agreement assists member states to achieve cross-border paperless trade

- Functional equivalence
- Non-discrimination - do not deny legal effect just because it is electronic
- Technology neutrality –
- Interoperability: different technologies should be able to talk to each other
- Improve trade facilitation and regulatory compliance
- Cooperation between the public and private sectors
- Improved transboundary trust environment
 - Create a national policy framework for paperless trade
- Enable cross-border exchange of trade-related data
- Creation of a national “single-window” system.
- Adopt standards for mutual recognition of electronic communications from outside the country (where appropriate)
- Adhere to recognised international standards and guidelines – for creation, use and management of electronic communications and provide for safe, secure and reliable means of such communications.
- Adopt as appropriate relevant international legal instruments from the UN.

Single Window

- “Single window” - centralised authority for the deposit and handling of documents in international trade.
- Many government and official departments – Now importers and exporters can deal with one office for all the relevant approvals and certificates
- NSW Platform

- A national or international single window system depends on:
 - interconnecting technology; and
 - Laws
- First step is electronic transactions laws
- Next - recognition of the value of electronic government
- Governments should put in place:
 - Facilitate government departments to operate internally and communicate electronically – (such as with Customs)
 - Facilitate government departments to communicate with private sector electronically
 - Facilitate government and private actors to communicate with international stakeholders
- NSW requires the input of public and private sectors
- Technology
 - Reliability
 - Public-sector – liability for mistakes or negligence
- Laws
 - enforceable
 - Service agreements – obligations on suppliers and certifiers
 - Liability for breaches or delay
- Costs
- Incentives
- Must facilitate Payment systems
- Electronic payments
 - Input of Banks and Financial Institutions
 - Customs (for payment – fines and fees)
- Types of payment systems, (recognised by international banks) – Convenience

Agreements Memorandum of Understanding Treaties

- Agreements can apply to a single crossing point or be general as needed by public and private officials
- Bilateral
- Multilateral
 - ASEAN Single Window Agreement and Protocol – aimed at guiding, designing and implementing single window schemes
 - Sanitary and Phytosanitary Agreement – WTO (SPS)
 - Others
- World Trade Organization's Trade Facilitation Agreement
 - Requires measures to be taken to remove barriers to paperless trade.
 - Both legal and practical.
- ESCAP Framework Agreement on the Facilitation of Cross-border Paperless Trade (operate with TFA)
- ESCAP Agreement focuses on electronic communications

UNCITRAL

- Model Law of Electronic Commerce 1996
- Model law of Electronic Signature 2001
- Electronic Communications Convention 2005
- Model Law of Electronic Transferable Records 2017*

- United Nations Commission on International Trade Law (UNCITRAL)
- Based on –
 - UNCITRAL Model Law on Electronic Commerce 1996
 - UNCITRAL Convention on the Use of Electronic Communications in International Contracts 2005
- Model Law - Adopted by 76 States and a total of 155 jurisdictions

Electronic Transactions

- Two principles:
 - Functional Equivalence: As far as possible, paper-based commerce and electronic commerce should be treated equally by the law.
 - Technology Neutrality: The law should not discriminate between different forms of technology.

Mutual Recognition

- Regional similarities and advantages
- Common Goals
- Common Framework (Legal – structural – technical – communications)
- To facilitate mutual recognition of paperless trade documents
- ESCAP Framework Agreement - such recognition depends on documents that are substantially similar and substantially reliability
- Documents

Issues

- Standardise enforceability
 - Similar laws
 - recognition of judgments
- Intellectual property law
- Dispute resolution
 - Access to courts
 - Access to arbitration and mediation
- Competition and consumer law – will the foreign trader be treated fairly- will agreement be enforced
- Applicability of electronic transactions law
- Contracts expressly authorise parties at all stages of a trading transaction to communicate with each other electronically
- Risk
- Documents

Signature

MLEC - Article 7. Signature

(1) Where the law requires a signature of a person, that requirement is met in relation to a data message if:

- (a) a method is used to identify that person and to indicate that person's approval of the information contained in the data message; and
- (b) that method is as reliable as was appropriate for the purpose for which the data message was generated or communicated, in the light of all the circumstances, including any relevant agreement.

ECC – Article 9(3)

3. Where the law requires that a communication or a contract should be signed by a party, or provides consequences for the absence of a signature, that requirement is met in relation to an electronic communication if:

(a) A method is used to identify the party and to indicate that party's intention in respect of the information contained in the electronic communication; and

(b) The method used is either:

(i) As reliable as appropriate for the purpose for which the electronic communication was generated or communicated, in the light of all the circumstances, including any relevant agreement; or

(ii) Proven in fact to have fulfilled the functions described in subparagraph (a) above, by itself or together with further evidence.

Case Studies Cambodia

Article 7.- Requirement for signature

When any provision requires the signature of any person, such requirement shall be considered fulfilled by means of electronic signature if such electronic signature used is made by means:

A. Whereby it is possible to identify the person or reflect the approval of such person for the information or records contained in the electronic communication;

B. Which are reliable according to the characteristics, purposes and circumstances whereby such electronic communication is made or communicated.

2- Although any provision specifies the requirement for signature or only specifies the consequences of not affixing signatures, the provision of paragraph 1 above is also applied.

Case Studies – PR China

Electronic Signature Law of the People's Republic of China

Article 2

For the purposes of this Law, electronic signature means the data in electronic form contained in and attached to a data message to be used for identifying the identity of the signatory and for showing that the signatory recognizes what is in the message.

The data message as mentioned in this Law means the information generated, dispatched, received or stored by electronic, optical, magnetic or similar means.

Article 3

The parties concerned may agree to use or not to use electronic signature or data message in such documentations as contracts and other documents, receipts and vouchers in civil activities.

Article 13

If an electronic signature concurrently meets the following conditions, it shall be deemed as a reliable electronic signature:

(1) when the creation data of the electronic signature are used for electronic signature, it exclusively belongs to an electronic signatory;

(2) when the signature is entered, its creation data are controlled only by the electronic signatory;

(3) after the signature is entered, any alteration made to the electronic signature can be detected; and

(4) after the signature is entered, any alteration made to the contents and form of a data message can be detected.

The parties may also choose to use electronic signatures that meet their agreed reliable conditions.

Article 14

A reliable electronic signature shall have equal legal force with handwritten signature or the seal.

Article 16

If an electronic signature needs to be authenticated by a third party, the electronic authentication service established according to law shall provide such service.

Article 17

An electronic authentication service shall meet the following conditions: professional technicians and managerial personnel, funds and business places, technology and equipment complying with the safety standards, certification document that the national password management agency agrees to use the password (or code), other conditions prescribed by laws and administrative regulations.

Article 19

The electronic authentication service shall formulate and publish its rules.

Article 22

An electronic authentication service shall guarantee that the items in the certificate of an electronic signature are complete and accurate within the term of its validity, and guarantee the party relying on the electronic signature the ability to prove or to know the items stated in the certificate of the electronic signature and other relevant matters.

Article 32

Where a person counterfeits, copies or usurps the electronic signature of another person's, constitutes a crime.

Case Studies – Lao PDR

Article 7 International Cooperation

The State cooperates with foreign countries and regional and international organizations on matters related to electronic transactions, by sharing of experiences, information, techniques, technology, scientific research, education, and human resource development, and complies with requirements in international agreements and treaties to which Lao PDR is a party.

Article 20 Basic Electronic Signature

Basic electronic signature means data in electronic format that are in, affixed to, or technically associated with a data message, which identifies the signatory and indicates the signatory's intention in respect of the information contained in the data message.

Article 21 Basic Digital Signature

Basic digital signature means a type of electronic signature that is uniquely linked to the signatory, capable of identifying the signatory, created using means that the signatory can maintain under his sole control, and any subsequent change of the data is detectable.

Article 22 Secure Digital Signature

Secure digital signature means a type of digital signature created using technical methods that protect against the forgery of that signature by using available technology to ensure that the signature creation-data used to generate that signature can practically be used only once and can be reliably protected by the legitimate signatory against its use or discovery by others.

Article 23 Requirements for the Use of Electronic Signatures

General requirements for the use of electronic signatures are as follows.

1. A mutual agreement to use any type of electronic signatures shall be sufficient for the purposes of establishing an agreement between the parties;
2. ...;
3. The use of secure digital signatures shall comply with regulations issued by the Ministry of Science and Technology.

The Government shall define [the type of] electronic signatures that may be used in electronic transactions where the Government is a party.

Article 24 The Recognition of Electronic Signatures

General requirements for the recognition of electronic signatures are as follows.

1. Where a rule requires a signature, but the signature is missing from a document, an electronic signature may be applied if it:
 - (a) Meets the requirements for electronic signature as defined in Article 25 of this Law;
 - (b) Meets the specific requirements for secure digital signature as defined in Article 26 of this Law;
 - (c) Is proven in fact to identify the person and to indicate that person's intention in respect of the information contained in the electronic signature.

Article 25 The Validity of Electronic Signatures

General requirements for the validity of electronic signatures are as follows:

1. An electronic signature associated with a data message or electronic document is valid and may be relied upon where:
 - (a) the signatory and the date and time of signature can be identified;
 - (b) the electronic signature system used to generate the signature uses technical methods that can be specified and managed only by the signature's owner;
 - (c) the electronic signatures created by the electronic signature system can only be stored and managed by the owner;
 - (d) the electronic signature system is able to access any information system that can identify whether there have been changes in the data message or electronic document.
2. Any technical method of creating an electronic signature that satisfies the requirements of section 1 of this Article shall not be denied legal effect.

Article 26 Secure Digital Signature Validity

The specific requirements for the validity of secure digital signatures are as follows.

1. The technical method of creating the secure digital signature must be recognized by and comply with the regulations of the Ministry for Science and Technology.
2. A secure digital signature must be accredited by a certificate issued by a legal entity or organization authorized to provide a secure digital signature certificate or whose secure digital signature certificates are recognized by the Ministry of Science and Technology.
3. A secure electronic signature (defined? Translation?) that is genuine and reliable or a certificate issued by a registered certification services provider shall be deemed equivalent to the signature used in a traditional paper-based transaction.

Article 27 Provision of Secure Digital Signature Certification Services

Article 29 Recognition of Foreign Digital Signature Certificates and Signatures

Case Studies – Myanmar

<http://www.asianlii.org/mm/legis/laws/etlspadcl52004622/>

Computer Science Development Law (1996)

Electronic Transaction Law (2004)

Myanmar has a special interest in e-government initiatives and is encouraging electronic payments for several government services, including imports and exports.

The Electronic Transactions Law of Myanmar 2004 adopts a media-neutral approach in regulating electronic contracts. The Law creates functional equivalents with respect to records, signatures and communications. Notably the Law creates several key regulatory bodies. The Central Body of Electronic Transactions implements the legislation. The Electronic Transactions Control Board deals with the regulation of electronic signatures.

Although the Law does not specify any particular technology, Public Key Infrastructure (PKI) is enabled by the provisions on certification authorities and licensing.

Section 19 of the Electronic Transactions Law 2004 (“ETL”) specifies that documents to be signed under any existing law may be made by electronic record, electronic data message or electronic signature. Under the ETL, an electronic signature is defined as “any symbol or mark arranged personally or on his behalf by electronic technology or any other similar technologies to verify the authenticity of the source of the electronic record and the absence of amendment or substitution.” Section 16 of the ETL, requires the authentic signer of an electronic signature (defined as “Subscriber”) to obtain a “Certificate” from a “Certification Authority” (i.e., licensed service provider) who may refuse the Subscriber’s application at its discretion.

Case Studies - Thailand

The Thai Electronic Transactions Act was initially passed in 2001.

The Amendment to Electronic Transaction Act (No. 3), B.E. 2562 (2019) came into force on 15 April 2019. The Amendments are intended to create greater flexibility for conducting electronic transactions. The amendments:

- recognise contracts concluded by involving automatic electronic data exchange systems
- recognise new criteria for a valid e-signature
- add the ECC concept of "an invitation to make offer"
- permits regulations to certain "service businesses concerning electronic transactions" and require notification, registration or a license before commencing any such businesses, where it is necessary for
 - financial and commercial security;
 - credibility and recognition of electronic transactions systems; and
 - the prevention of damage to the public.

Generally, an e-commerce business must obtain commercial registration from the competent district office, in accordance with the Commercial Registration Act.

The Thia Electronic Transactions Act (ETA) is the primary law governing electronic transactions in Thailand. The ETA recognises the formation of a contract electronically and the use of electronic signatures. It sets out the general principle that a contract will not be denied its legal effect and enforceability based solely on the grounds that it is made in the form of a data message. The ETA provides that a contract may be electronic and that a particular document must be in writing or evidenced in writing. A contract is regarded as in writing if it is accessible and usable for subsequent reference. With regard to the content of the contract, the general law of contracts remains unaltered. The Thai law recognises clickwrap contracts. Under a clickwrap contract, a purchaser is typically prompted to accept or reject the vendor's terms and conditions, by an affirmative click of a button onscreen.

The electronic transaction regime applies to all types of contracts, except for prescribed exemptions in the ETA. These include family law and succession law; Powers of attorney and sale of immovable property agreements.

E-signatures

E-signatures are recognised under Thai law. The use of electronic signatures is governed by the ETA. Section 4 of the Thai ETA defines an electronic signature as a letter, character, number, sound, or any other symbol created in electronic form and affixed to a data message to establish the association between a person and a data message for the purpose of identifying the signatory who is involved in the data message, and which shows that the signatory approves the information contained therein.

Where the law requires a contract to be made, evidenced, or presented in writing, the signature requirement can be satisfied by use of an electronic signature.

The ETA prescribes a “method” in general terms for an electronic signature. The method must be capable of identifying the signatory and representing the signatory's intentions regarding the information contained in the electronic data.

The method must be reliable and appropriate for the purpose for which the data message was generated or sent, or is capable of verifying the signatory and representing the signatory's intentions regarding the information contained in the electronic data, along with any other evidence, in the event that the method itself is not sufficient to meet such requirements.

An electronic signature will be deemed reliable if it comprises of following features:

- The signature creation data is, within the context in which it is used, linked to no other person besides the signatory.
- The signature creation data was, at the time of signing, under the sole control of the signatory.
- Any post-signing alteration is detectable.
- Where the signature is meant to indicate that the signatory attests to the completeness and integrity of the information, any alteration made to that information is detectable from the time of affixing the e-signature.

The ETA does not prescribe the format for e-signatures. E-signatures can be made in any format that meet the criteria and requirements prescribed in the ETA, as described above.

Case Studies - Viet Nam

The Law on E-transactions 2005 includes broad provisions on e-commerce and e-signatures. It is based on the UNCITRAL Model Law on Electronic Commerce (1996). The Law on E-transactions contains functional equivalence provisions including for electronic signatures and electronic communications. It also contains provisions creating legal rules which govern the circumstances surrounding when an electronic contract is formed, such as time and place of dispatch and receipt of an electronic message.

On 15 February 2007, the Government issued Decree No. 26 providing detailed Regulations on the implementation of the Law on E-transactions on digital signature and digital signature certification services – applicable to agencies and organizations providing such services as well as agencies, organizations and individuals seeking to use digital signature and digital signature certification services in electronic transactions. In addition, this Decree enacts most of the substantive provisions of the United Nations Convention on the Use of Electronic Communications in International Contracts, to which, however, Viet Nam has not yet become a party.

In 2005, the National Assembly approved three laws that lay down the legal basis for e-commerce:

- Commercial Law,
- Civil Code, and
- Law on E-Transactions.

In addition, E-commerce activities and the related dispute settlement are subject to the Law on Information Technology in 2006, Telecommunications Law 2009, Penal Code 1999, Law on Consumer Protection in 2010, Advertising Law 2012, Investment Law 2014, and Enterprise Law 2014. Decree 52/2013/ND-CP lists four e-commerce principles:

(i) ensure free, voluntary agreement in transactions;

- (ii) determine the scope of business activities;
- (iii) define consumer protection and obligations; and
- (iv) deal in goods and services that are subject to conditional business.
 - Decree No. 26/2007/ND-CP 15 February 2007 Implementation of the Law on E-Transactions, Digital Signatures, and Digital Signature Certification Services.
 - Decree No. 106/2011/ND-CP 23 November 2011 Amending and supplementing Decree No. 26/2007/ND-CP on Signatures and Signature Verification Services
 - Decree No. 170/2013/ND-CP 13 November 2013 Amending and supplementing a number of articles of Decree No. 26/2007/ND-CP, 15 February 2007, detailing the implementation of the Transaction Law Electronic Signatures and Certification Services and Decree No. 106/2011/ND-CP, 23 November 2011, amending and supplementing some articles of Decree No. 26/2007/ND-CP 15, February 2007

Exemptions

- China
 - 1) documents relating to such personal relations as marriage, adoption and succession;
 - 2) documents relating to the transfer of the rights and interests residing in such real estate as land and houses;
 - 3) documents relating to termination of such public utility services as water supply, heat supply, gas supply and power supply; and
 - 4) other circumstances where electronic documentation is not applicable, as provided for by laws and administrative regulations.
- Lao PDR
 - Article 6 Scope of Application
 - This Law applies to individuals, legal entities, State organizations [and agencies], international organizations and civil society that use electronic transactions in Lao PDR.
 - This Law does not apply to:
 - 1) The creation of a will;
 - 2) Certificates related to births, marriage, divorce, and death;
 - 3) Documents of title;
 - 4) The creation, enforcement or certification of the possession of other's property or power of attorney;
 - 5) Contracts for the sale, transfer, or other disposition of ownership or any interest in land or immovable property;
 - 6) Petitions under the Law on Petitions;
 - 7) Bills of exchange, bills of lading, warehouse receipts or any document that entitles the bearer or beneficiary to claim the delivery of goods, unless laws and regulations define otherwise.

Formal Land

- Insurance contracts
- Intellectual Property assignments
- Bills of Exchange

ETAs – Commencement

	MLEC	MLES	ECC
Cambodia	2019		*

China	2004	2004	S 2006
Lao	2012		
Myanmar			
Thailand	2019	2001	*
Viet Nam	2005	2005	*
Australia	1999 (2011)		*

* Law incorporates the ECC

United Nations Commission on International Trade Law
Purpose of E-Commerce Law

- For protection in an electronic environment
- To remove legal obstacles to e-commerce
- To create a more secure legal environment
- Aim - to provide nations with a template

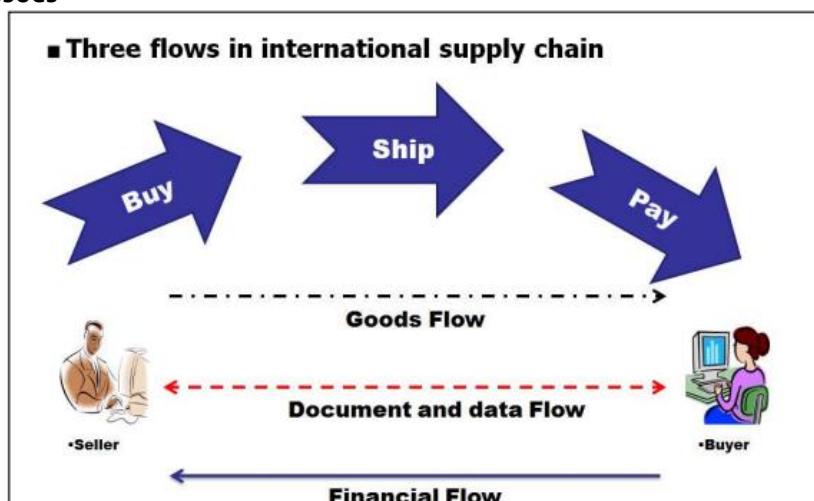
Digital Signatures

- Asymmetric cryptography
- Protection of information transmitted during electronic banking transactions, such as ATM transactions, EFTPOS purchases, SI-net, VoIP, EBay and many Internet transactions

Cybercrime Laws

- Local laws
- International laws
- Council of Europe Cybercrime Convention
- Consumer laws

Cross Border issues



Conflict of Law

- Express Choice of law
- Clause – selection of law

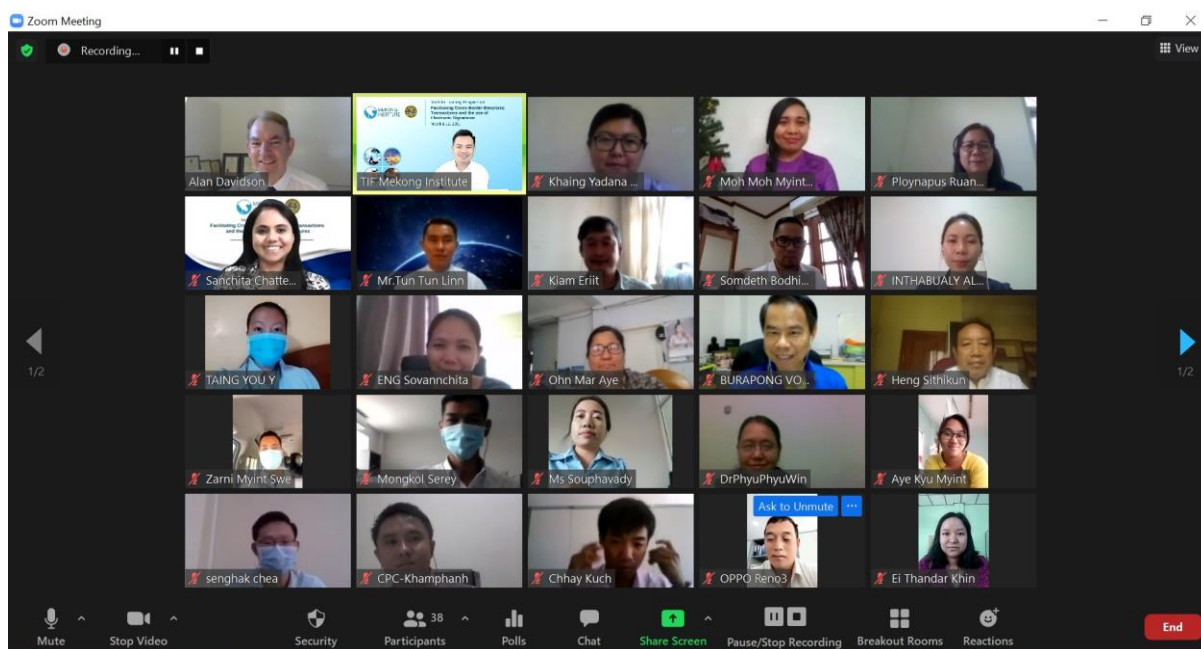
Recommendations

- Adoption of common international standards
- Domestic legislation adopts international model laws and conventions
- Adoption of Capacity building programs

5.5. Module 4: Emerging Trends

5.5.1. Session: Technology, Social Media and Outsourcing – E-government Initiatives - Cross-border Cooperation and Harmonisation - COVID-19 implications

Dr Alan Davidson, Academic | Solicitor and Barrister | Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce



Topics discussed in this session include:

Agreements Memorandum of Understanding Treaties

- Agreements can apply to a single crossing point or be general as needed by public and private officials
- Bilateral
- Multilateral
 - ASEAN Single Window Agreement and Protocol – aimed at guiding, designing and implementing single window schemes
 - Sanitary and Phytosanitary Agreement – WTO (SPS)
 - Others
- World Trade Organization's Trade Facilitation Agreement
 - Requires measures to be taken to remove barriers to paperless trade.
 - Both legal and practical.
- ESCAP Framework Agreement on the Facilitation of Cross-border Paperless Trade (operate with TFA)
- ESCAP Agreement focuses on electronic communications

Trends and Initiatives

- Cybercrime laws – amendments the criminal statutes
- Council of Europe Cybercrime Convention
- World Customs Organization Harmonized Frontier Controls Convention

- Standard reference to products in trade
- United Nations Layout Key
 - To facilitate forms (wrt language issues) standardising forms and documents in trade and shipping
- UN Convention on the International Sale of Goods (94 parties)
 - General contracting law
 - China – Lao PDR – Viet Nam

UNESCAP

- The UNESCAP analysis reveals that full implementation of binding measures of the WTO Agreement on Trade Facilitation would decrease trade costs of 5.8 per cent
- Full implementation of all the measures in the Agreement would result in a 9.4 per cent reduction.
- Digital implementation of the Agreement, with facilitation of the seamless electronic exchange of trade data and documents across borders, would result in trade cost reductions of nearly 17 per cent for Asia and the Pacific.
- “Each Asia-Pacific economy also stands to make gains from accelerating trade facilitation implementation”
- The extent of these gains varies widely.
- Trade costs would be reduced with
 - (a) implementation of binding measures of the WTO Agreement on Trade Facilitation
 - (b) implementation of binding and non-binding measures of the Agreement and
 - (c) implementation of binding and non-binding measures of the Agreement as well as other paperless trade measures.
- “Capturing these reductions will require closer cooperation between economies on developing interoperable paperless trade systems as envisaged in the Framework Agreement on Facilitation of Crossborder Paperless Trade in Asia and the Pacific.”
- COVID-19 has severely strained international trade worldwide and in Asia and the Pacific.
- Countries in the region have increased digitisation of trade procedures to minimise disruptions
- A 2021 survey will include an additional module on measures to facilitate trade in times of crises and pandemic.
- The survey module was developed jointly by all United Nations regional commissions and the United Nations Conference on Trade and Development. It is being tested in the Asia-Pacific region.
- “Implementation of the Framework Agreement could focus on removing legal, technical, institutional and/or capacity-building constraints to make these facilitation measures more permanent.”

Exemption

- Why do exemptions exist?
- Land?
- Bills of Exchange? (Cheques?)
- Bills of Lading?
- Wills?
- UNCITRAL warns against “blanket exemptions”

Facilitation

- COVID-19 Emergency Response Act 2020 (Qld)
- The main purposes of this Act are—

- (a) to protect the health, safety and welfare of persons affected by the COVID-19 emergency; and
- (b) to facilitate the continuance of public administration, judicial process, small business and other activities disrupted by the COVID-19 emergency, including by easing regulatory requirements and establishing an office of small business commissioner; and
- (c) to provide for matters related to residential, retail and prescribed leases affected by the COVID-19 emergency; and
- (d) to support the Queensland rental sector during the COVID-19 emergency period.

9 Regulation-making power for particular matters relating to documents

(1) This section applies if an Act or a common law rule requires or permits any of the following (each a relevant matter)—

- (a) the signing of a document by a person;
- (b) the witnessing of signatures;
- (c) the certification of matters by signatories, witnesses or other persons involved in the making of a document;
- (d) the verification of the identity of individuals;
- (e) the attestation of a document;
- (f) the production of a document by a person;
- (g) ... (o).

Clout

- Uniform approach internationally
- Case Law on UNCITRAL Texts
- [uncitral.un.org/en/case law](http://uncitral.un.org/en/case%20law)

5.6. Action Plans (APs)

The training participants prepared and presented actions plans as country groups. Proposed topics for the APIs, its objectives and target participants – as presented by country groups - are summarized in the table below.

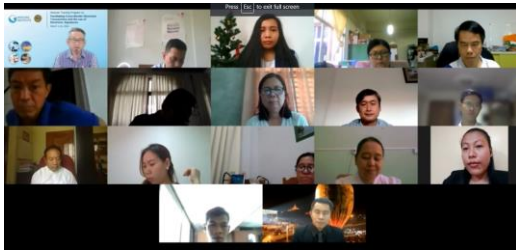
Table 2: Summary of Action Plans

Country	Main Objectives	Target Stakeholder	Schedule
Cambodia: Knowledge Sharing Workshop on Cross-Border Trade Facilitation,	<ul style="list-style-type: none"> - Raise awareness on Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures - Build awareness and capacity on (cross-border) paperless trade for stakeholders - Increase awareness of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific text; and increase awareness of the Framework Agreement relationship to WTO Trade Facilitation Agreement (TFA), NSW implementation, and creation of cross-border paperless trade environment and Knowledge on UNCITRAL Model Law 	<ul style="list-style-type: none"> - Government Officials (MOC MEF, MOI, Ministry of agriculture, industry, health) 	May -July 2021
P.R China: Writing a strategy paper for our department	<ul style="list-style-type: none"> - To introduce international and regional frameworks in ET and ES for colleagues - To introduce status and frameworks in the LM countries in ET and ES for colleagues - To discuss on electronic transactions cooperation with LM countries under the framework of RECP 	<ul style="list-style-type: none"> - Colleagues from the department of the participants who are interested in electronic transactions 	May 2021
Lao PDR: The impact of National Single Window (LNSW) on economic operator: a case study of Lao PDR	<ul style="list-style-type: none"> - To understand bottlenecks of service performance (i.e., processing time of LNSW system and platform) - To keep track/ monitor the response/ feedback from users of the LNSW - To provide practical policy recommendations for policymakers to enhance the effectiveness of LNSW 	<p>The dissemination session will cover research outcome presentation and panel discussion session, in which the participants will be</p> <ul style="list-style-type: none"> - Policy makers (5 people) - Researchers (10 people) - Stakeholders from both government and private sectors (10 people) - Undergraduate students (5 people) 	May - July 2021

<p>Myanmar:</p> <p>Awareness Building Program on Country's Readiness for the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific (Myanmar)</p>	<ul style="list-style-type: none"> - To enhance - Awareness raising and Capacity Building on relevant stakeholders regarding the understanding the cross-border ET & ES to apply paperless trade - To promote - Relevant agencies and traders getting opportunities from utilizing ET & ES tools & Instruments - To highlight liability of parties or agencies involved in cross-border paperless trade in relation to data processing system - To encourage the paperless trade environment utilizing online information system especially on Economics Zones 	<ul style="list-style-type: none"> - Customs Dept, - Cyber security Dept, - Financial Institutions, - Department of Trade, - UMFCCL, - Lawyers from Attorney General - Relevant Agencies / stakeholders - Financial Institutions, - Relevant Agencies / Associations - MMMDA 	<p>June - Aug 2020</p>
<p>Thailand:</p> <p>Workshop Cascade E Commerce Electronic Transaction & Signature</p>	<ul style="list-style-type: none"> - Enhance understanding and application of cross-border electronic transactions and the use of electronic signatures - Encourage increased cross-border cooperation on cross-border electronic transactions and the use of electronic signatures - To suggest solutions to specific issues and challenges arising out of COVID-19. 	<ul style="list-style-type: none"> - SMEs, entrepreneurs, traders 	<p>May-July 2020</p>
<p>Vietnam:</p> <p>Speed up- Development of essential knowledge for promoting cross- border electronic transactions and the use of electronic signatures</p>	<ul style="list-style-type: none"> - Speed up- Development of essential knowledge for promoting cross- border electronic transactions and the use of electronic signatures for doing business 	<ul style="list-style-type: none"> - At least 30 young entrepreneurs of Quang Tri, Ca Mau, Soc Trang, Bac Lieu (coastal provinces) from where the ASEAN markets may be easily accessed 	<p>June 2021</p>

5.7. Training Closing and Way Forward

In the closing remarks, Mr. Suriyan Vichitlekarn reemphasized that the LM region has considerable economic cooperation and integration potentials. There are huge prospects arising out of regional



cooperation frameworks, including the RCEP and LMC, that each member country needs to take account of properly and make use of opportunities to promote the economic development in each country and to gain benefits from economic integration.

Mr. Suriyan also recalled the meeting between LM leaders on 24 November 2020 that all leaders underscored great potentials of LMC, and how economic integration that we have been working on has bolstered LMC to be one of the fastest growing regions of the world. That would mean the region needs to explore ways to facilitate free flow of goods, services and investment across the LM country. To make this possible and effective, we need to look at how cross-border trade facilitation could be enhanced in a seamless and effective manner. He also highlighted that benefits of a closer cooperation will not be confined to only the LM region, but it will be used to support each of the LM country to be able to reach out to the world economy.

In addition, Mr. Suriyan encouraged all the participants to revisit and make use of the inputs, resources and presentations provided by the training as they will act as good references, and to explore how we can put these into practice.

Mr. Suriyan concluded the E-training by thanking the resource persons and distinguished participants, the donor and the MI team for organizing a productive and successful training.

6. Program Evaluation

6.1. Evaluation Methods

During the training, the TIF facilitator introduced evaluation methods to monitor and evaluate the performance and understanding levels of the participants.

Objectives

- To assess the achievements of the training against participants' expectations;
- To get feedback and inputs for improving the training in the future.

6.2. Evaluation Results

1. Pre / Post Self-Assessments

In order to evaluate the knowledge acquisition of participants during the training, pre / post self-assessments were conducted to assess against the knowledge and skills before and right after the training.

The same form was used for both pre and post assessments. In the questionnaire, different components were rated on a scale of 1 to 5, where "5" was the highest and "1" was the lowest. The average rating for pre self-assessment of participants' knowledge and skills on the training contents

or sessions were almost “2.0” which meant the understanding of participants towards all subjects of the ‘Modular Training Program on Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures’ was “I have heard about this topic but do not know enough about how to do / use it (rating at 2).”

On the last day of the two-week training, post self-assessment was conducted to evaluate participants’ understanding about acquired knowledge. The total average rating for post self-assessment of acquired competencies was “3.34” which meant “I have some knowledge on this topic, but could not do it now without further study (rating at 3)”. Figure below shows the pre and post self-assessment results of participants’ competencies and understandings on each module of the training.

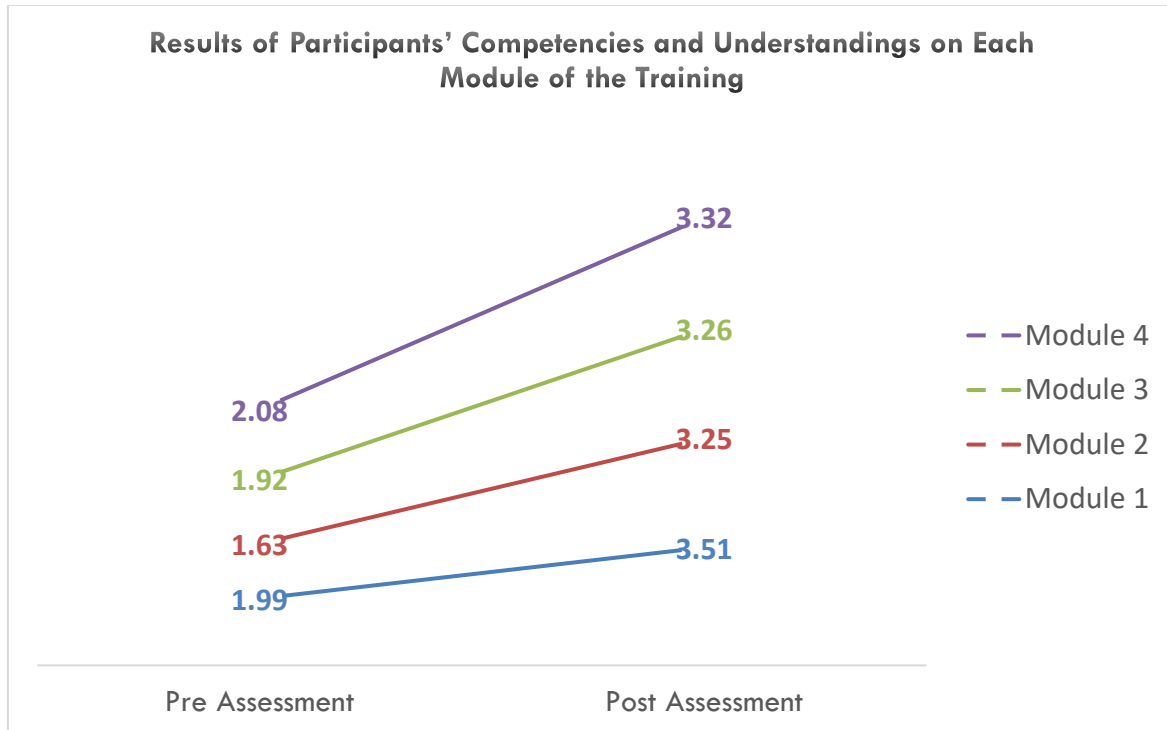


Figure 3: Pre/Post Self-Assessments on Competency on Training

2. After-Event Evaluation

The after-event evaluation was conducted by using a participatory method. This method allowed all participants to freely comment, without the scrutiny of RP and MI facilitators. Different components were rated on a scale of 1 to 5, where “5” is the highest and “1” is the lowest.

1) Learning Program Objectives

Training objectives were evaluated with the rating scale of 1 to 5 (1-Not Met; 2-Somewhat Met; 3-Mostly Met; 4-Met; 5-Fully Met). Overall average rating was 4.19 (Mostly Met).

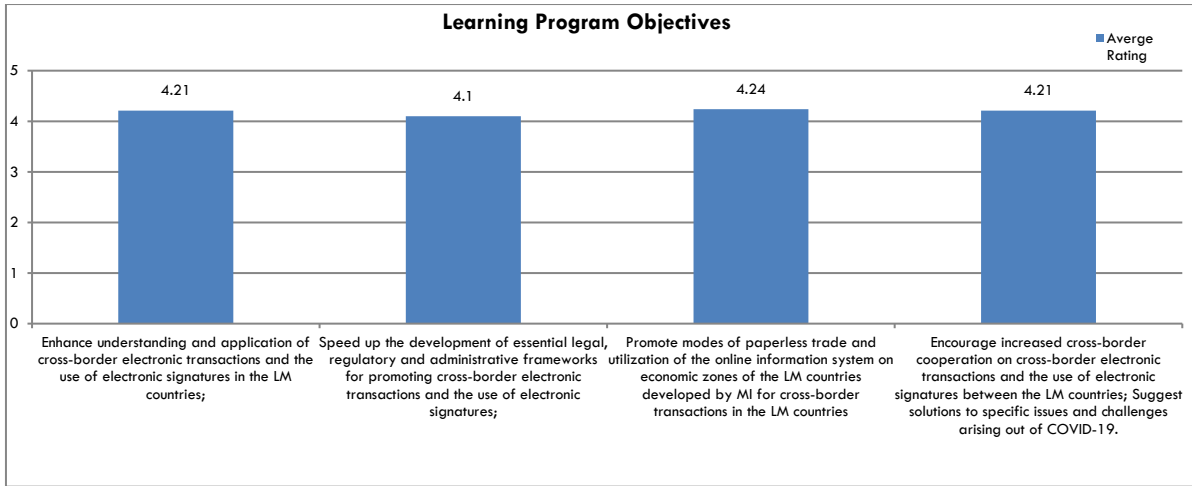


Figure 4: Learning Program Objectives

2) Program Content

The participants rated levels of relevance of sessions and contents of the training with 5 rating scales (1–Not Relevant; 2–Slightly Relevant; 3–Moderately Relevant; 4–Mostly Relevant; 5–Highly Relevant). Participants reported the knowledge and skills gained from the event was especially relevant to their works with more than 17.24% & 27.59% of participants rated highly relevant & mostly relevant, respectively.

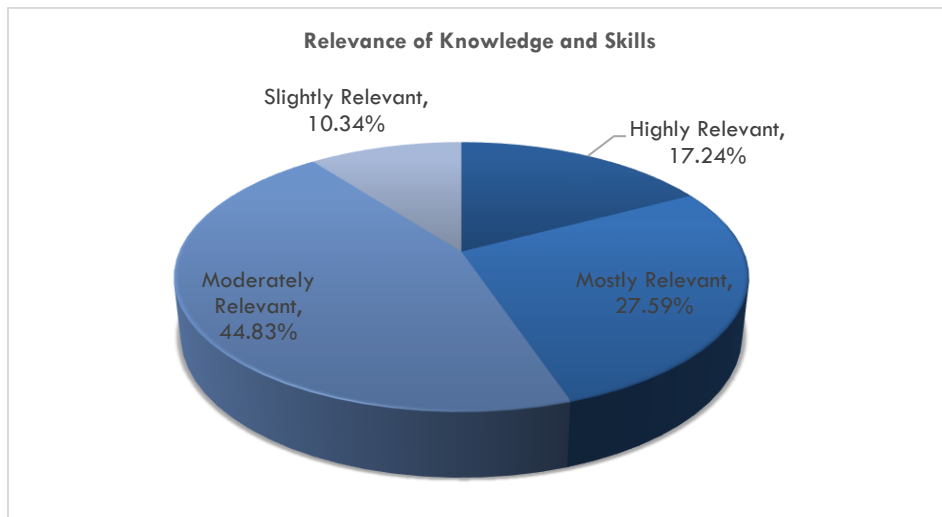


Figure 5: relevance of knowledge and skills

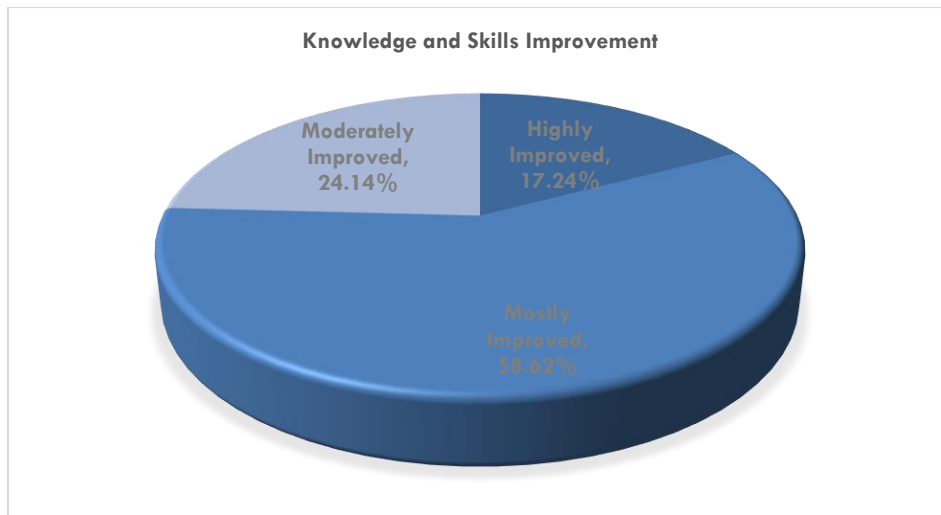


Figure 6: Knowledge and Skills Improvement

Finally, for the specific skills improved / developed during the training, it was evaluated with 5 rating scales (Not Improved; Somewhat Improved; Neutrally Improved; Improved; Highly Improved). Participants reported that they improved / developed specific knowledge during the training with 17.24% (Highly Improved), 58.62% (Mostly Improved), 24.14% (Moderately Improved).

3) Training Methods

Training methods were evaluated with rating scale of 1 to 5 (1 – Very Poor; 2- Poor; 3 – Moderate; 4 – Good; 5 – Excellent). Overall average rating was 4.22 (Good). Participants reported that interaction with facilitators and resource persons were most effective with the average rating at 4.2.

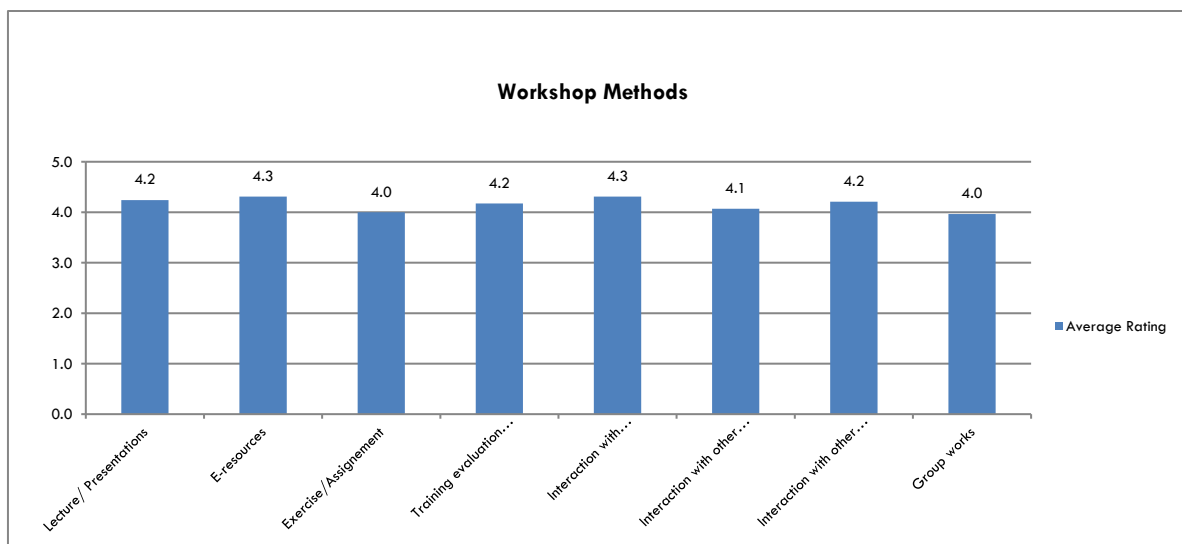


Figure 7: Training Methods

Overall Assessment

In response to the question on “What is your overall assessment of the training,” participants rated with rating scale of 1 to 5 (1 - Not satisfied; 2 - Somewhat Satisfied; 3 – Neutrally Satisfied; 4 – Mostly Satisfied; 5 – Very Satisfied). Participants indicated the average rating of 4.3 (Mostly Satisfied). This shows that the participants were satisfied with the training.

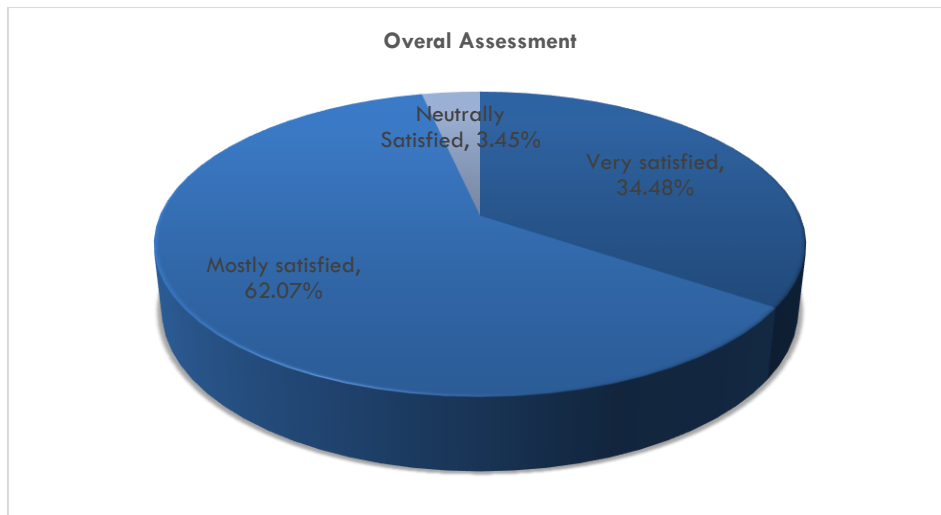


Figure 8: Overall Assessment

6.3. Suggestions and Recommendation

The participants indicated they are very satisfied with overall arrangement and organizations throughout the training and they enjoyed the training atmosphere very much and learnt a lot from the resource persons and co-participants. However, there were some useful suggestions/recommendations made by the participants, for further improvement of the training program. They were noted as below:

- Several feedback comments appreciating the training program, its content and usefulness, importance of group work and discussions.
- Several comments mentioned onsite training on this subject will be more impactful and appreciated.
- Some suggestions about length of the training sessions (too long – should be less than 2 weeks), individual sessions (long, not enough breaks), time management (some sessions stretched beyond their scheduled time), including more relevant ministries/departments as participants.
- There have been suggestions on giving more time for assignments/group works and discussions and for downloading software for resolving technical issues in downloading
- There have been comments about differing schedules on different days.
- There have been comments about not all participants turning on their videos (they should turn on when the classes and group discussions are on).
- Myanmar participants expressed the need for more such capacity building programs
- There was a suggestion about having single windows involving government and private sector.

7. Appendices

7.1. Training Assessment and Evaluation Tool

7.1.1. Pre and Post Self-Assessment on Competency of the Workshop

Modular Training Program on Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signature	Average Rating	
	Pre	Post
Module 1: Electronic Transactions and Use of Electronic Signatures (ET&ES) in Digital Age		
• Importance of and Trends in ET&ES	1.92	3.55
• Definitions and Concepts	1.96	3.59
• Concept of Cross-border ET&ES	2	3.48
• Border Trade Facilitation and Cross-Border Transactions	2.08	3.52
Total (Module 1)	1.99	3.54
Module 2: International and Regional Frameworks		
• International Frameworks and Practices	1.75	3.34
• Frameworks and Measures in Asia Pacific	1.5	3.31
Total (Module 2)	1.63	3.32
Module 3: Status and Frameworks in the Lancang-Mekong Countries		
• Status of ET&ES in the LM countries	1.4	3.31
• Frameworks of ET&ES in the LM countries	1.4	3.34
• Issues and Challenges of ET&ES in LM Countries	1.5	3.28
Total (Module 3)	1.4	3.31
Module 4: Emerging Trends		
• Technology, Social Media and Outsourcing	2.33	3.45
• E-government Initiatives	2.08	3.38
• Cross-border Cooperation and Harmonization	1.83	3.31
Total (Module 4)	2.08	3.38
Total (Module 1 / 2 / 3 / 4)	1.79	3.56

7.1.2. After-training Evaluation

Learning Program Objectives

To what extent do you think the workshop has met its objectives?	Not Meet 1	Slightly Met 2	Neutrally Met 3	Mostly Met 4	Fully Met 5	Average Rating
Enhance understanding and application of cross-border electronic transactions and the use of electronic signatures in the LM countries;			13.8%	51.7%	34.5%	4.21

Speed up the development of essential legal, regulatory and administrative frameworks for promoting cross-border electronic transactions and the use of electronic signatures;	13.8%	62.1%	24.1%	4.1	
Promote modes of paperless trade and utilization of the online information system on economic zones of the LM countries developed by MI for cross-border transactions in the LM countries	3.45%	69%	27.6%	4.24	
Encourage increased cross-border cooperation on cross-border electronic transactions and the use of electronic signatures between the LM countries; Suggest solutions to specific issues and challenges arising out of COVID-19.	3.5%	3.5%	62%	31%	4.21

Program Content

2.1 Please indicate how well you think the event has improved your knowledge and skills					
Not Improved 1	Slightly Improved 2	Moderately Improved 3	Mostly Improved 4	Highly Improved 5	Average Rating
		24.2%	58.6%	17.2%	3.9

2.2 Please indicate the relevance of knowledge and skills gained from the event to your work.					
Not Relevant 1	Slightly Relevant 2	Moderately Relevant 3	Mostly Relevant 4	Highly Relevant 5	Average Rating
	10.3%	44.8%	27.6%	17.3%	3.3

Training Method

3.1. How well the method used in the event?	Very Poor 1	Poor 2	Moderate 3	Good 4	Excellent 5	Average Rating
Lecture / Presentation			21%	34%	45%	4.2
E-resources			3%	62%	35%	4.3
Exercise/Assignment			24%	52%	24%	4.0
Training evaluation methods			7%	69%	24%	4.2
Interaction with Facilitator/Trainer			11%	48%	41%	4.3

Interaction with other Participants and resource person	10%	59%	31%	4.2
Group works	24%	55%	21%	4.0

3.2 How do you evaluate the length and time allocation for each section?

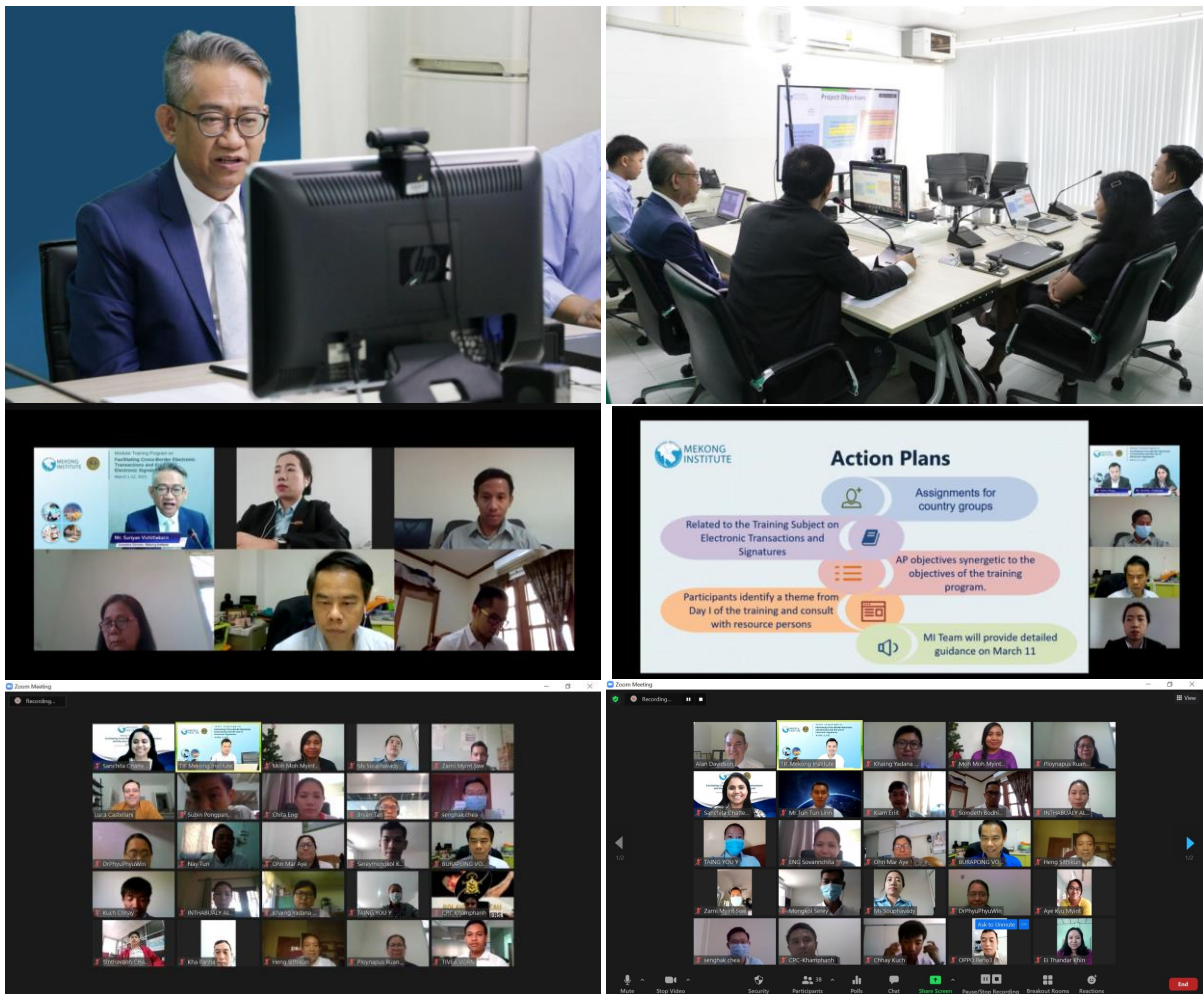
Very Poor 1	Poor 2	Moderate 3	Good 4	Excellent 5	Average Rating
		24%	69%	7%	3.8

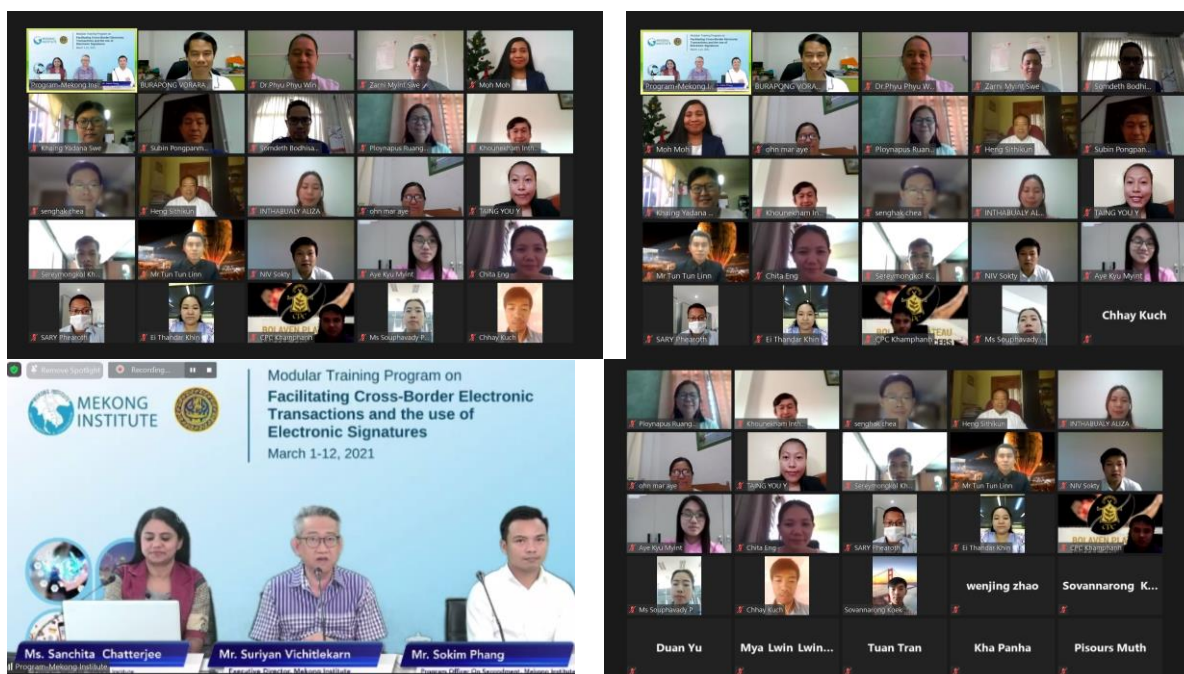
Overall Assessment

4.1. What is your overall assessment of the workshop?

Not Satisfied 1	Somewhat Satisfied 2	Neutrally Satisfied 3	Mostly Satisfied 4	Very Satisfied 5	Average Rating
		3%	62%	35%	3.7

7.2. Photos





7.3. Curriculum Design Statement

1. Introduction

1.1 Background

In the wake of COVID-19 the growth in trade in the ASEAN region has sharply fallen. In the first half of 2020 ASEAN total trade was US\$1.2 trillion, a fall of 12.4% year-on-year³². In this context, the application of digital economy in trade facilitation will significantly contribute to the revival of growth in trade in the ASEAN. Electronic transactions and use of e-signatures are an integral part of paperless trade, which encompasses electronic communications, exchanging trade-related data and documents across the borders in electronic form³³.

Cross-border electronic transactions are of particular significance against the trend of growing cross-border e-commerce globally and in the Lancang-Mekong (LM) region, especially in the COVID-19 era. In particular, cross-border e-commerce in China received a boost after the onset of COVID. Data from the General Administration of Customs, China showed in the first half of 2021, trade volumes via cross-border e-commerce platforms increased by 26.2 percent year-on-year.³⁴ In 2020, retail e-commerce sales in Asia Pacific were projected to reach USD 2.45 trillion driven primarily by e-commerce growth in China.³⁵ The digital payments market was expected to grow in 2020 by 11% worldwide and as high 15.9% in China.³⁶

³² https://www.aseanstats.org/wp-content/uploads/2020/11/ASEAN_Key_Figures_2020.pdf

³³ <https://www.unescap.org/sites/default/files/02-Paperless%20trade%20for%20regional%20e-commerce%20development-Sung%20Heun%20Ha.pdf>

³⁴ http://www.xinhuanet.com/english/2020-08/18/c_139300293.htm

³⁵ <https://www.statista.com/statistics/311357/sales-of-e-commerce-worldwide-by-region/>

³⁶ <https://www.weforum.org/agenda/2020/06/action-on-cross-border-payments-will-support-digital-trade-growth/>

The ASEAN Master Plan on Connectivity 2025 has digital innovation as one of its strategic areas including supporting financial access through digital technologies and one of the outcomes sought by the recently concluded ASEAN ICT Masterplan 2020 was to enable interconnected and interoperable digital economy in the region.³⁷

Growth of electronic transactions and the increased use of electronic signatures in the LM countries are particularly determined by progress in implementation of national single windows (NSWs) in the ASEAN member states and the ASEAN Single Window. All the countries of the LM region have been making progress towards setting up fully functioning NSWs albeit at different paces. In particular the electronic systems have been lagging behind on the issue of customs payment and clearance procedures - there are parts that are still handled manually.

Studies conducted as part of Lancang-Mekong Cooperation Special Fund (LMCSF) projects implemented by Mekong Institute (MI) reveal there are a few hurdles in electronic payment processes in the LM countries such as³⁸:

- Not being fully implemented in Lao PDR, Cambodia and Myanmar due to lower level of development of their financial systems.
- Time taken for stakeholders to learn the use of and develop trust in the online payment system.
- Complexities involved in designing integrated systems for electronic payments as these require incorporation of different features e.g. customs and financial functions. Custom e-payment systems can become more complex as features such as custom refund, incentive schemes, etc are integrated in these.

In addition, other factors which hinder the growth of cross-border electronic transactions such as the divergence in regulatory and technical standards between countries, and threat of fraud and cybersecurity issues which affect small & medium enterprises disproportionately³⁹.

As part of its projects funded by LMCSF, MI has developed an online information system for economic zones of LM countries (www.lmezs.com) and an online platform to facilitate business forums in LM countries (<https://lancangmekongforum.com/>). These platforms serve as information hubs on relevant policies and regulations, business and investment opportunities, products and services of enterprises, and contact details of relevant stakeholders as well as business networking arenas. The next stage of development of these online platforms could be embedding of facilities for conducting cross-border online transactions through the two online platforms to promote higher cross-border trade, investment and e-commerce in the LM region.

1.2. Modular Training Program on “Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures”

Against the above background, MI is organizing “*Modular Training Program on Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures*” on March 1-12, 2021 via online mode.

³⁷ <https://asean.org/storage/2016/09/Master-Plan-on-ASEAN-Connectivity-20251.pdf>;
https://www.asean.org/storage/images/2015/November/ICT/15b%20-%20AIM%202020_Publication_Final.pdf

³⁸ https://www.mekonginstitute.org/uploads/tx_ffpublication/9_Study_on_Customs_Modernization_in_the_Lancang-Mekong_Countries.pdf

³⁹ http://www3.weforum.org/docs/WEF_Connecting_Digital_Economies_2020.pdf

The training is a part of a project on “Upgrading Border Facilitation for Trade and Logistics Development”, funded by the LMCSF and implemented by MI in collaboration with the Ministry of Commerce, Royal Government of Thailand. The project, which has multiple components consisting of studies, training programs and the establishment of a networking forum, is being implemented from 2018 to 2021 in the six LM countries- Cambodia, China, Lao PDR, Myanmar, Thailand, and Viet Nam.

The objectives of the project on “Upgrading Border Facilitation for Trade and Logistics Development” are

- To promote trade along border trade zones which link the LM countries.
- To facilitate cross-border trade by increasing capacity and reducing the costs incurred to traders within the LM countries.
- To enhance connectivity and improve competitiveness across international borders through improvements in infrastructure to facilitate cross-border trade and investment.

2. Training Objectives

The overarching objective of *Modular Training Program on Facilitating Cross-border Electronic Transactions and the Use of Electronic Signatures*” is to enhance ICT connectivity and usage through improvements in infrastructure and facilities for facilitating cross-border trade and investment;

The specific objectives of the training program are to:

- Enhance understanding and application of cross-border electronic transactions and the use of electronic signatures in the LM countries;
- Speed up the development of essential legal, regulatory and administrative frameworks for promoting cross-border electronic transactions and the use of electronic signatures;
- Promote modes of paperless trade and utilization of the online information system on economic zones of the LM countries developed by MI for cross-border transactions in the LM countries
- Encourage increased cross-border cooperation on cross-border electronic transactions and the use of electronic signatures between the LM countries; Suggest solutions to specific issues and challenges arising out of COVID-19.

3. Expected Training Outcomes

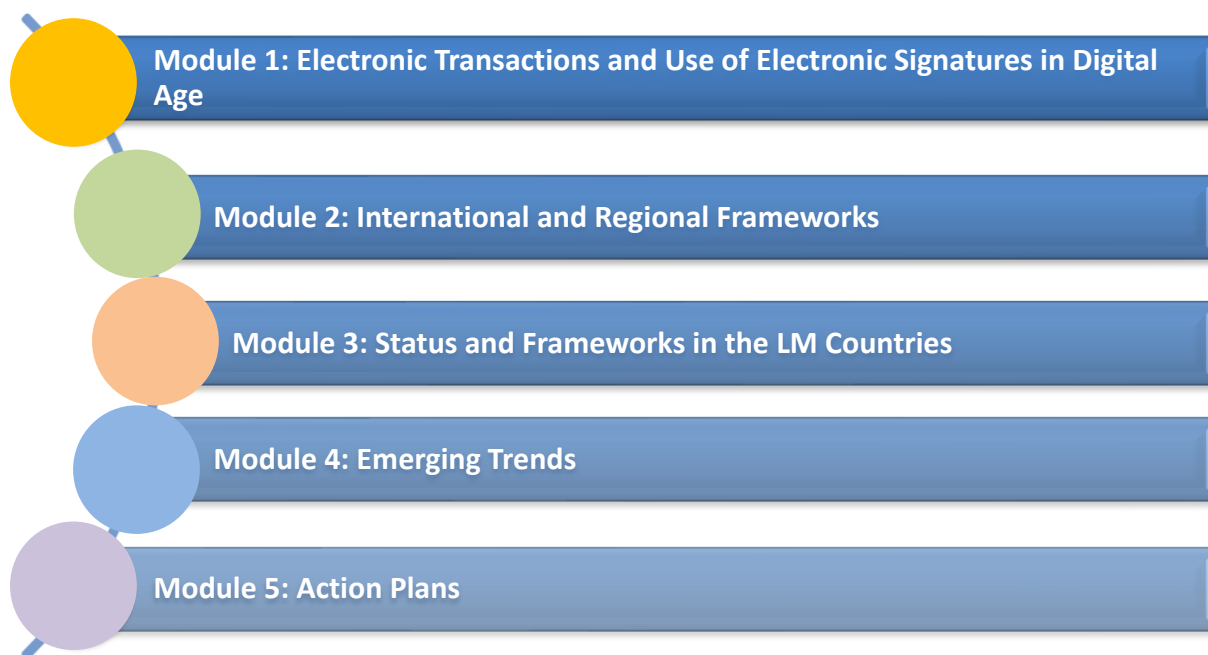
The expected outcome of the training program is a contribution to

- Smooth functioning of cross-border electronic transactions and the increased usage of electronic signatures in cross-border trade, investment and e-commerce in the LM countries;
- Increased cooperation between agencies, governments, private sector and consumers in the LM countries for promoting cross-border electronic transactions and use of electronic signatures in cross-border trade and investment;
- Increased cross-border trade and other cross-border linkages in the LM countries.

4. Training Content

Through the online training sessions, participants will explore five interrelated modules, supported by group discussions and exercises, examples, case studies, hands-on demonstrations and preparations of plans of actions.

Figure: 1: Modules of the training sessions



Module 1: Electronic Transactions and Use of Electronic Signatures (ET&ES) in Digital Age

i. **Importance of and Trends in ET&ES:** Significance of ET&ES; linkage between growth of e-commerce and ET&ES; global and regional trends in growth in ET&ES.

ii. **Definitions and Concepts:**

- Definitions and explanations of legal principles of ET&ES such as scope and criteria for establishing equivalence in electronic documents, exclusions, recognition of contracts & establishment of administrative framework, definitions of intermediaries and telecommunication providers, technology neutrality;
- Explanations on related legislations, regulations and codes of practice - such as data protection, intellectual property rights, advertising code of practice, internet code of practice, cybercrimes, consumer protection.

iii. **Concept of Cross-border ET&ES:** Concepts, and international and regional trends in cross-border ET&ES; explanations of legal principles such as jurisdiction (applicable courts and laws and applicability of court judgment in one jurisdiction in another), and taxation (applicable tax regime and accrual); importance of cross-border enforcement and cooperation.

iv. **Border Trade Facilitation and Cross-Border Transactions:** Linkage between paperless trade and cross-border ET&ES; trends in application of trade facilitation measures (i.e. measures on paperless trade) to promote cross-border ET&ES;

Learning objective: This module is meant to serve as an introductory chapter. The module will aim to provide in simple, non-technical terms the idea behind electronic transactions and the use of electronic signatures, the principles that ensure smooth functioning of ET&ES, the additional aspects to keep in mind while discussing cross-border ET&ES and the linkage between ET&ES and areas such as e-commerce and trade facilitation.

Module 2: International and Regional Frameworks

- i. International Frameworks and Practices:
 - Key features and principles of relevant provisions of UNCITRAL texts on electronic commerce and related regional trade agreements;
 - Brief summaries, comparisons, advantages and drawbacks of legislative frameworks: case studies and examples from the EU, US, Australia, Canada, New Zealand and non-ASEAN/non-LM Asian countries.
- ii. Frameworks and Measures in Asia Pacific:
 - e-ASEAN Framework Agreement – key features, status and progress in harmonization of e-commerce frameworks in ASEAN member states (MS); brief descriptions of existing frameworks including points of advantages and disadvantages, issues and challenges, and best practices from non-LM ASEAN MS.
 - Brief summaries, advantages and drawbacks, and implementations of relevant features of automated customs systems, the ASEAN Single Window (ASW) and National Single Windows (NSWs) in the non-LM ASEAN MS.
 - Brief explanation on the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific

Learning objective: This module has dual objectives: one is to describe in simple, nontechnical terms the efforts at multilateral, regional and national levels to put in place legal, regulatory frameworks for e-commerce, automated customs systems and single window which are linked to ET&ES and two, explain workings of such frameworks using examples, case studies and best practices from around the world and Asia Pacific including the ASEAN. The module will present tools to the participants to analyze provisions of such frameworks and understand what frameworks that promote cross-border ET&ES must contain.

Module 3: Status and Frameworks in the LM Countries

- i. Status of ET&ES in the LM countries: Trends in and progress on cross-border ET&ES in the LM countries; impact of COVID-19; role of regional and sub-regional initiatives in promotion of cross-border ET&ES.
- ii. Frameworks of ET&ES in the LM countries: Key features and principles of laws and regulations on e-commerce and paperless trade, implementation of automated customs systems, ASW and NSWs, and other relevant frameworks in the LM countries linked to ET&ES;
- iii. Issues and Challenges of ET&ES in LM Countries: Brief on and solutions adopted for issues and challenges such as cybercrimes, data protection & privacy, intellectual property protection, consumer protection, lack of recognition of electronic signatures from other jurisdiction, lack of coordination and cooperation among regulators and public law enforcement agencies of LM countries, lack of capacities among key personnel and agencies;

Learning objective: This module will explain the status of development and implementation of frameworks for ET&ES, in particular cross-border ET&ES in the six LM countries. It will also explain the efforts to address various emerging issues at bilateral, sub-regional and regional levels involving the LM countries. The participants are expected to utilize the learnings from modules 1 and 2 to analyze and understand the status in the LM countries and develop their country action plans on the basis of learnings of this module.

Module 4: Emerging Trends

- i) **Technology, Social Media and Outsourcing:** Linkages with ET&ES and factors such as options in digital payment and signature technologies, cloud computing, big data, IT-enabled services and outsourcing, automation, robotics, AI; growing issues such as

- cybercrimes, intellectual property matters, data protection, privacy, low level of awareness.
- ii) **E-government Initiatives:** Provision of government services including procurement of goods and services, and transactions using electronic media; role of government in allowing flow of information, people, and goods and services, and impact on cross border ET&ES; challenges in implementing e-government initiatives
 - iii) **Cross-border Cooperation and Harmonization:** Regional cooperation for strengthening cross-border enforcement including national contact points, availability of capacity building initiatives and resources, harmonization of cross-border ET&ES etc; importance of cross-border cooperation between agencies and among governments, businesses and consumers to promote transparency, enforcement and for consumer protection
 - iv) **COVID-19 implications:** Role played by cross-border transactions in business continuity and uninterrupted cross-border flow of goods and services since the onset of COVID; challenges encountered during this period such as consumer trust in safety and security of electronic payment systems, high transaction fees for electronic payments, insufficient infrastructure and digital divide, interoperability of payment platforms etc.

Learning objective: This module will discuss some of the trends and pressing issues that affect ET&ES including issues that cropped up since the onset of COVID and issues that have lingered from pre-COVID times. The aim will be to provide more in-depth and topical information on these matters to let the participants know what to look out for in the near future and possible solutions to these to incorporate these aspects in their work program.

Module 5: Action Plans

The final module of the training program will consist of drafting of action plans by the participants and implementing them. Action plans will be group assignments for the participants and will be related to Cross-border ET&ES in the LM countries for implementation in their respective countries. The objectives of the group action plans should be synergetic to the objectives of the training program.

The action plans may consist of the following:

- Organization of training workshops for relevant stakeholders in respective countries to improve understanding and usage of cross-border ET&ES for promoting cross-border trade and investment with other LM countries;
- Development of concrete country or organization level strategies and implementation plans for promoting cross-border ET&ES in cross-border trade, investment and e-commerce with other LM countries;
- Establishment of synergies between electronic payment systems that are integrated in NSWs of respective countries and the online system for economic zones of the LM countries developed by MI to promote cross-border trade, investment and e-commerce in the LM countries.

An action plan consists of a number of action steps in accordance with the national/local scenario, added with the endowment of clear-cut group work divisions and responsibilities. Resource persons and MI team would provide the participants guidelines and assistance, as necessary, to draw up their action plans.

5. Target Participants of the Training Program

The target participants of the training are

- Mid-level officials from ministries and departments of commerce, economy, industry, digital economy from the LM countries;
- Private sector representatives from companies and Industry, exporters' and SME's associations;

In terms of qualifications, participants should

- have at least 5 years of experience in SME strategy, operations and investment;
- have a university degree; and
- be able to communicate (speak, read and write) in English at professional level.

In addition, MI encourages the participation of suitable women candidates.

Criteria for participant selection are English language proficiency and demonstrated ability and willingness to commit full attendance, active participation, and completion of course requirements.

6. Training Approach

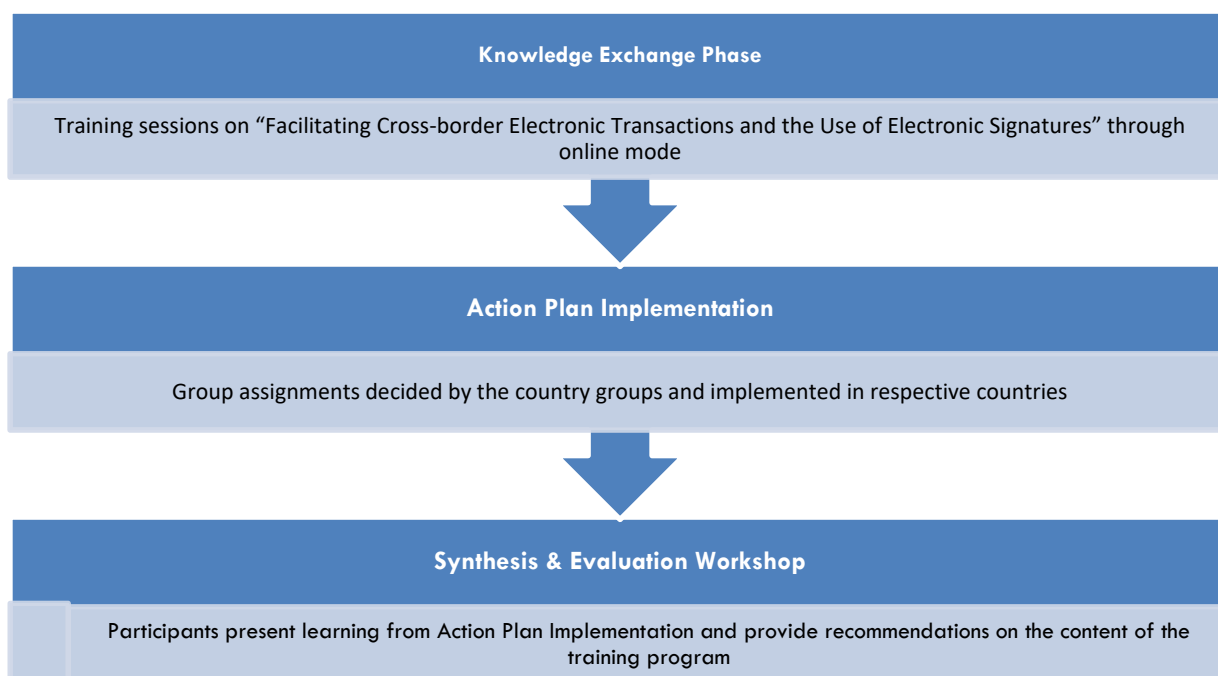
The training program would follow MI's modular training cycle approach, which has three phases of implementation as following:

Knowledge Exchange Phase: This phase will consist of two-week training sessions via online mode. At this stage, resource persons would devise ways to promote high levels of literacy of and higher order thinking on the subject-matter aimed at optimum engagement of the participants. This is a conceptualization stage which requires processing and drawing on a knowledge base of content, application of methods appropriate to the content, and use of technology appropriate to the content.

The online sessions are so designed so as to enable the participants to have a comprehensive understanding of the content through self-paced learning and live online sessions, focus on sharing of practical knowledge by the participants and resource persons, encourage exchange of information and ideas through group work and discussions, adopt participative methods through quizzes and simulation exercises, assess enhancement of skills and knowledge of participants and foster networking among the participants. The language used of the training program will be English.

Action Plan Implementation: Action plans will be group assignments decided by the participants themselves. The MI team will provide assistance in implementing the action plans following the two-week online training sessions. The period of action plan implementation will be two to three months.

Synthesis and Evaluation Workshop: The participants will be invited to share the outputs of their action plan implementation in a synthesis and evaluation workshop, which will be organized after satisfactory implementation of the action plans. Participants would be asked to present the results of and learning from their action plan implementation. Participants will also be asked to provide their recommendations and suggestions on the content and management of the training program. The workshop will be organized through a hybrid mode that is the Thai participants will be invited to join the workshop at MI residential training centre and other participants will connect through a suitable online meeting app.



7. Duration, Tools and Brief Schedule

The first phase of the modular training program will consist of training sessions held over two weeks on March 1-12, 2021 in the following manner.

- Live online learning sessions will be conducted by the MI organizing Team with the aid of online power point presentations, videos, simulation techniques, whiteboards, survey techniques (for questionnaires and quizzes), role play etc. A suitable online meeting application (such as Zoom) will be chosen for conducting the live online sessions;
- Live online training sessions will be combined with self-paced learning – this will be off-line learning by the participants based on materials distributed by the MI Organizing Team (when the participants can devote the duration and time on materials as they wish, as per their convenience);
- In addition, the training sessions will include individual/group assignments, online group work and discussions, live online group presentations;
- Pre-training materials and additional training materials and references while the online training sessions are in progress will be distributed by the MI Team;
- MI Organizing Team will conduct a pre-training survey, daily feedback of the participants on the live sessions, mid-term and final evaluation (or exams) through online survey methods (such as SurveyMonkey). To ensure full participation and attention, the evaluations or exams will be graded by the MI Team;
- At the end of the online training sessions, certificates of completion will be awarded to the successful training participants. There will be three levels of awards, i) three stars ★★★ awarded to the participants receiving grades above 80% in the, ii) two stars ★★ awarded to the participants receiving grades between 60% and 80%, and iii) one star ★ awarded to the participants receiving grade below 60% evaluations conducted by the MI team.

The tentative brief schedule and method will be as following:

Date/Frequency	Content	Details
February 24-26	Pre-training preparation	Assessment of participants knowledge and skills through questionnaires; Distribution of online training outline and content by MI

		Organizing Team; preparation and submission of pre-training assignments, questions by participants
March 1-12	Live online sessions <i>between 9 am and 12 noon Monday to Friday each week. The schedule may be revised by MI team from time to time which will be communicated to the participants</i>	Includes inaugural and closing sessions; Contact sessions covering five training modules with two to three sessions each; Simulation exercises, quizzes, discussions and, questions and answers (Q&A).
Five times	Online group work among the participants	Groups (either country/sector or theme-based) will be formed and assignments will be explained during live sessions by MI Organizing Team; groups may choose their appropriate methods of communication and agree upon time for discussions among themselves; MI Team will monitor group activities.
Five times	Group presentations	Each day of group presentations will be held over one hours and will include presentations, discussions and Q&A; Members of other groups will attend group presentations.
March 11	Action plan preparation	Purpose and content of action plans will be explained by MI Organizing Team on March 11; Country groups will discuss and draw up the action plans; MI Team will provide necessary assistance for the preparation
March 12	Action Plan presentation	Each group will be allotted 10 minutes to present their action plans; Powerpoint, videos or any other tools may be used for this

Each participant must take part in all the below-mentioned training activities:

- Total 30 hours of live online sessions, within this
 - a) 20 hours lectures by resource person(s)
 - b) Five hours of group presentations approx (one hour each time)
 - c) Two hours of Action Plan Presentation
 - d) Quizzes, simulation exercises, role plays, polls, evaluations etc conducted by resource person(s) and MI Team
 - e) Mid-term and final examinations (or evaluations) conducted by MI Organizing Team using online survey methods (e.g. SurveyMonkey)
 - f) Opening and Closing Sessions (one hour each)

- Self-paced activities (that is duration and time can be decided by the participants themselves or in consultation with their respective groups)
 - a) At least one day devoted to pre-training materials including readings, videos and assignments before the start of the training;
 - b) At least one hour each week for additional training materials such as videos, presentations and readings;

- c) Five days of breakout sessions (group/individual work, group discussions etc) paced as agreed between members of respective group (one-two days each week). The outcome of the group/individual work will be uploaded on MI e-learning portal for review of resource person(s) and MI Team;
- d) One day for action plan preparation as agreed between members of respective groups.

Certificates will be awarded to participants on the basis of the performance of the participants in the two evaluations (or exams) conducted by MI Team and their participation in quizzes and other training -related assignments.

9. Monitoring and Evaluation

A monitoring and evaluation (M&E) mechanism will be put in place to assess the progress and measure the results of the intervention and every effort will be made to make it effective. The M&E will be introduced in the pre, during and post stages of the training program.

Pre-Training

During the selection of participants, assessments will be made of applicants' qualifications, experiences, English language proficiency, willingness and ability to ensure their effective participation in the training program. Telephonic interviews may be conducted for selected applicants to judge their eligibility.

During Training at MI

As per its standard practice, a few monitoring and evaluation tools will be employed by MI during the training sessions on March 1-12, 2021. Accordingly, pre-, post- and final training assessments will be conducted during the Knowledge Exchange Phase to assess the impact of the training on participants' understanding of the subject matter and skills. Results of pre-and post-assessment will be compared to measure the improvement in knowledge of participants due to the training content and relevance of training materials for the participants' jobs. Furthermore, the training M&E tools, such as 'mood meter', 'Board of Director's would be employed to evaluate day-to-day management of the training.

During the action plan implementation stage, the MI team will keep in close contact with the participants to help them implement their action plans, monitor the progress in action plan implementation, take note of any concerns they have and respond to their queries.

In the Synthesis and Evaluation (S&E) workshop, the participants will be asked to share their learning from, make an assessment and, provide recommendations and suggestions on the content and management of the modular training cycle followed by the training program.

Post-Training

A few months after the S&E workshop, MI will measure the outcome of the modular training cycle followed by the training program by seeking participants' inputs on the impact of the training program in terms of the quality and application of learnings, enhancement of knowledge, skills and coordination among the participants post-training program, contribution of the learnings from the training program to policies and strategies in respective countries.

10. Contact

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7.4. Program Schedule

Detailed Program Schedule

PRE-TRAINING PREPARATION	
Wednesday, February 24 - Friday, February 26	
Responsibility	Content
MI Organizing Team	Testing sessions with participants via Zoom app, February 25
MI Organizing Team & Resource Persons	Online training outline and content (e.g. presentations, reading materials, assignments, questionnaires)
Participants	Submission of pre-training assignments and questionnaires, submission of questions and discussion points

Week - I			
Day I: Monday, March 1			
Mode of Delivery: Live			
Time (Thailand)	Contents / Sessions	Resource Person / Facilitator	Tools
08:50-09:00	<i>Participants connect via Zoom link sent by MI</i>		
09:00 - 09:05	Introduction (rules and norms of the online training)	Ms. Sanchita Chatterjee, Program Specialist, Trade & Investment Facilitation Department (TIF), MI	Powerpoint
09:05 - 09:10	Welcome Remarks	Mr. Suriyan Vichitlekarn Executive Director, Mekong Institute (MI)	Live remarks
09:10 - 09:20	Brief introduction to the project "Upgrading Border Facilitation for Trade and Logistics Development in Lancang-Mekong countries"	Mr. Madhurya Kumar Dutta, Director, Trade &	Live remarks and powerpoint

			Investment Facilitation (TIF) Department, MI	
09:20 – 09:30	Overview of the training approach, modules and sessions		Ms. Sanchita Chatterjee, Program Specialist, TIF, MI	Powerpoint
09:30 – 12:25	Module 1: Electronic Transactions and Use of Electronic Signatures (ET&ES) in Digital Age	<ul style="list-style-type: none"> i. Importance of and Trends in ET&ES: ii. Definitions and Concepts: iii. Concept of Cross-border ET&ES iv. Border Trade Facilitation and Cross-Border Transactions 	Dr Alan Davidson Academic Solicitor and Barrister Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce	Powerpoint, video, apps, online whiteboard, simulation etc
12:25-12:30		Evaluation of the session/ announcements/ selection of participants for review		MI Team
Afternoon	Online group work/discussions/uploading group/individual work on e-learning portal		Participants	As agreed within groups

Week I			
Day II: Tuesday, March 2			
Mode of Delivery: Live			
Time (Thailand)	Contents / Sessions	Resource Person / Facilitator	Tools
Morning	Online group work/discussions/uploading group/individual work on e-learning portal	Participants	As agreed within groups
10:20-10:30	Quick summary and review of previous day's learning	Selected participants	Powerpoint, video, apps, online whiteboard, simulation etc
10:30-11:00	Getting to Know Each Other	Mr. Sokim Phang, Program Officer, TIF, MI	App for quiz/survey
11:00-12:00	Presentations by Groups/Individual Participants followed by Q&A/discussions, 10 minutes for each group	MI Team & Dr. Alan Davidson	Powerpoint, video, apps, online whiteboard, simulation etc
12:00-12:05	Evaluation of the session/ announcements	MI Team	Online survey tool

Week I			
Day III: Wednesday, March 3			

Mode of Delivery: Live				
Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Tools
14:00 – 14:45	Module 2: International and Regional Frameworks	Session -I International Frameworks and Practices	Mr. Luca Castellani, Legal Officer, UNCITRAL	Powerpoint, video, apps, online whiteboard, simulation etc
14:45- 15:00		Q&A, discussions, quiz, simulation exercises, role play		
15:00- 15:20		Session -II Frameworks and Measures in Asia Pacific <i>Session II.a. e-ASEAN Framework Agreement</i>	Mr. Bryan Tan, Partner, Pinsent Masons; and UNNEXt expert	
15:20- 15:30		Q&A, discussions, quiz, simulation exercises, role play		
15:30- 16:15		Session -II Frameworks and Measures in Asia Pacific <i>Session II b Automated customs systems, the ASEAN Single Window (ASW) and National Single Windows (NSWs)</i>	Mr. Alvin Mah, UNNEXt expert	
16:15- 16:30		Q&A, discussions, quiz, simulation exercises, role play	& Ms. Soo Hyun Kim, Economic Affairs Officer, ESCAP	
16:30- 16:55		Explanation of Group or Individual Work/Assignment		
16:55 – 17:00	Evaluation of the session/ announcements/ selection of participants for review		<i>MI Team</i>	Online survey tool
Evening	Online group work/discussions/uploading group/individual work on e-learning portal		Participants	<i>As agreed within groups</i>

Week I Day IV, Thursday, March 4 Mode of Delivery: Live				
Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Tools
Morning	Online group work/discussions/uploading group/individual work on e-learning portal		Participants	<i>As agreed within groups</i>
09:50- 10:00	Quick summary and review of previous day's learning		<i>Selected participants</i>	Powerpoint, video, apps, online whiteboard,
10:00 – 11:00	Presentations by Groups/Individual Participants followed by Q&A/discussions, 10 minutes for each group		MI Team & Mr. Alvin Mah	

11:00 – 11:45	Module 2: International and Regional Frameworks	Session -II Frameworks and Measures in Asia Pacific <i>Session II c The Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific</i>	Ms. Soo Hyun Kim, Economic Affairs Officer, ESCAP	simulation etc
11:45- 12:00		Q&A, Discussions, quiz, simulation exercises		

Week I
Day V: Friday, March 5
Mode of Delivery: Live

Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Tools
09:30-09:40	Quick summary and review of previous day's learning		<i>Selected participants</i>	Powerpoint, video, apps, online whiteboard, simulation etc
09:40 - 11:40	Module 3: Status and Frameworks in the LM Countries	Session -I Status of ET&ES in the LM countries Session -II Frameworks of ET&ES in the LM countries <i>Perspective from Thailand</i>	Mr. Sapphasuk Wijaiworakit &	
11:40-12:00		Q&A, Discussions, quiz, simulation exercises	Mr. Krisorn Somnuk, Thai Customs Department	
12:00-12:10	Module 3: Status and Frameworks in the LM Countries	Explanation of Group or Individual Work/Assignment		
12:10-12:20	Explanation of mid-term evaluation		<i>MI Team</i>	Verbal presentation
12:20 – 12:30	Evaluation of the session/ announcements/ selection of participants for review		<i>MI Team</i>	Online survey tool
Afternoon	Mid-term evaluation		Participants	Online survey tool

Saturday, March 6 & Sunday, March 7

Week II
Day VI: Monday, March 8
Mode of Delivery: Live

Time (Thailand)	Contents / Sessions	Resource Person / Facilitator	Mode of Delivery
09:30-09:40	Quick summary and review of previous day's learning	<i>Selected participants</i>	Powerpoint, video, apps, online whiteboard, simulation etc
09:40 – 10:00	Review and discussions of mid-term evaluation questions	MI Team	
10:00-11:00	Presentations by Groups/Individual Participants followed by Q&A/discussions, <i>10 minutes for each group</i>	MI Team & Mr. Sapphasuk Wijaiworakit & Mr. Krisorn Somnuk	

11:00 - 12:10	Module 3: Status and Frameworks in the LM Countries	Session -III Issues and Challenges of ET&ES in LM Countries <i>Perspective from Thailand</i>	Mr. Sapphasuk Wijaiworakit &	
12:10- 12:20		Q&A, Discussions, quiz, simulation exercises	Mr. Krisorn Somnuk, Thai Customs Department	
12:20 – 12:30	Evaluation of the session/ announcements/ selection of participants for review		MI Team	Online survey tool
Afternoon	Online group work/discussions/uploading group/individual work on e-learning portal		Participants	As agreed within groups

Week II
Day VII, Tuesday, March 9
Mode of Delivery: Live

Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Mode of Delivery
10:50- 11:00	Quick summary and review of previous day's learning		Selected participants	Powerpoint, video, apps, online whiteboard, simulation etc
11:00 – 11:45	Module 3: Status and Frameworks in the LM Countries	i. Status of ET&ES in the LM countries	Dr Alan Davidson	
		ii. Frameworks of ET&ES in the LM countries	Academic Solicitor and Barrister Member – Expert Panel	
11:45 - 12:00		iii. Issues and Challenges of ET&ES in LM Countries	UNCITRAL Working Group IV Electronic Commerce	
<i>Lunch</i>				
13:00- 14:30	Module 3: Status and Frameworks in the LM Countries	i. Status of ET&ES in the LM countries	Dr Alan Davidson	Powerpoint, video, apps, online whiteboard, simulation etc
		ii. Frameworks of ET&ES in the LM countries	Academic Solicitor and Barrister Member – Expert Panel	
		iii. Issues and Challenges of ET&ES in LM Countries	UNCITRAL Working Group IV Electronic Commerce	
14:30 – 14:45		Contd... Q&A, Discussions, quiz, simulation exercises		
14:45 – 14:55		Explanation of Group or Individual Work/Assignment		
14:55 – 15:00	Evaluation of the session/ announcements/ selection of participants for review		MI Team	Online survey tool

Afternoon	Online group work/discussions/uploading group/individual work on e-learning portal	Participants	<i>As agreed within groups</i>
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Week II Day VIII: Wednesday, March 10 Mode of Delivery: Live					
Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Mode of Delivery	
09:30-09:40	Quick summary and review of previous day's learning		<i>Selected participants</i>	Powerpoint, video, apps, online whiteboard, simulation etc	
09:40 – 10:40	Presentations by Groups/Individual Participants followed by Q&A/discussions, <i>10 minutes for each group</i>		MI Team & Dr Alan Davidson		
10:40 - 11:50	Module 4: Emerging Trends	i) Technology, Social Media and Outsourcing ii) E-government Initiatives iii) Cross-border Cooperation and Harmonization iv) COVID-19 implications	Dr Alan Davidson Academic Solicitor and Barrister Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce		
11:50-12:15		Q&A, Discussions, quiz, simulation exercises			
12:15-12:25	Explanation of Final Evaluation		<i>MI Team</i>		Verbal presentation
12:25 – 12:30	Evaluation of the session/ announcements/ selection of participants for review		<i>MI Team</i>		Online survey tools
Afternoon	Final Evaluation (Exam) of Participants' Skills and Knowledge Levels		Participants	Online Survey Methods	

Week - II Day IX, Thursday, March 11 Mode of Delivery: Live				
Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Mode of Delivery
09:30-09:40	Quick summary and review of previous day's learning		<i>Selected participants</i>	Powerpoint, video, apps, online whiteboard, simulation etc
09:40 – 10:00	Review and discussions of final evaluation questions		<i>MI Team</i>	
10:00 - 11:00	Module 5: Action Plans	Introduction to Action Plans Followed by Q&A, discussions	<i>MI Team</i>	

11:00-11:10	Evaluation of the session/ announcements	MI Team	Online survey tools
Afternoon	Action Plan Preparation	Participants	As agreed within groups

Week II				
Day X: Friday, March 12				
Mode of Delivery: Live				
Time (Thailand)	Contents / Sessions		Resource Person / Facilitator	Mode of Delivery
09:30 – 11:30	Module 5: Action Plans	Action Plan Presentations: Country Groups alphabetically followed by comments by MI team <i>20 minutes each</i>	MI Team	Live with powerpoint, video etc
11:30 - 12:30	Closing: Course Report Speeches by selected participants Way Forward Closing Remarks		Mr. Suriyan Vichitlekarn Executive Director, Mekong Institute (MI) Ms. Sanchita Chatterjee, Program Specialist, TIF, MI Mr. Sokim Phang, Program Officer, TIF, MI	Live

Any changes in the Program Schedule will be communicated to the participants by the MI Team

7.5. Directory

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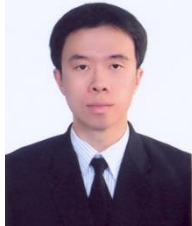
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II. Resource Person (RP)

No	Photos	Name/Position / Organization	Contact
1		Dr. Alan Davidson Academic, Solicitor and Barrister, Member – Expert Panel UNCITRAL Working Group IV Electronic Commerce	Tel: Email: a.davidson@law.uq.edu.au
2		Mr. Luca Castellani Legal Officer UNCITRAL	Tel: Email: luca.castellani@un.org
3		Mr. Bryan Tan Partner, Pinsent Masons and UNNExT expert	Tel: Email: Bryan.TAN@pinsentmasons.com
4		Mr. Alvin Mah UNNExT expert	Tel: Email: alvinckmah@gmail.com

5		Ms. Soo Hyun Kim Economic Affairs Officer ESCAP	Tel: Email: kim51@un.org
6		Mr. Sapphasuk Wijaiworakit Thai Customs Department	Tel: Email: 106787@customs.go.th

III. MI Organizing Team

No	Photos	Position / Organization	Contact
1		Mr. Madhurjya Kumar Dutta Director, Trade and Investment Facilitation (TIF) Department, Mekong Institute (MI)	Tel: + 66 (0) 43 202 411-2 Fax: + 66 (0) 43 343 131 Email: dutta@mekonginstitute.org
2		Ms. Sanchita Chatterjee Program Specialist, Trade and Investment Facilitation (TIF) Department, Mekong Institute (MI)	Tel: + 66 (0) 43 202 411-2 Fax: + 66 (0) 43 343 131 Email: sanchita@mekonginstitute.org
3		Mr. Sokim Phang Program Officer, Trade and Investment Facilitation (TIF) Department, Mekong Institute (MI)	Tel: + 66 (0) 43 202 411-2 Fax: + 66 (0) 43 343 131 Email: sokim@mekonginstitute.org
4		Ms. Sasiporn Phupaploy Program Assistant, Trade and Investment Facilitation (TIF) Department, Mekong Institute (MI)	Tel: + 66 (0) 43 202 411-2 Fax: + 66 (0) 43 343 131 Email: sasiporn@mekonginstitute.org

7.6. Details of Action Plans

7.6.1. Cambodia's Action Plan: Workshops on Cross-Border Trade Facilitation

Country		<input type="radio"/> Cambodia <input type="radio"/> PR China	<input type="radio"/> Lao PDR <input type="radio"/> Myanmar	<input type="radio"/> Thailand <input type="radio"/> Viet Nam
Name	1. Eng Sovannchita	Position & Organization	4. Vorn Tivea	
	2. Heng Sithikun		5. Taking Y You	
	3. Som Sothea		6. Chea Senghak	

Action Plan Activity	<i>Workshops on Cross-Border Trade Facilitation</i>
Objectives	1) Raise awareness on Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures
	2) Build awareness and capacity on (cross-border) paperless trade for stakeholders
	3) Increase awareness of the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific text; and increase awareness of the Framework Agreement relationship to WTO Trade Facilitation Agreement (TFA), NSW implementation, and creation of cross-border paperless trade environment and Knowledge on UNCITRAL Model Law

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc)	People/Organization Responsible	Team Members/Technical or Resource Persons	Target Participants/Beneficiaries	Expected Results	Required support from MI
		Mid May 2021		Ministry of Commerce	UNESCAP MI	Government Officials (MOC	Enhance understanding on	TBC

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc)	People/Organization Responsible	Team Members/Technical or Resource Persons	Target Participants/Beneficiaries	Expected Results	Required support from MI
Knowledge Sharing Workshop	Organizing workshop or consulting workshop	(1 or 2 weeks)	Virtual Workshop (Zoom) Khmer or English Language	Ministry of Public Works and Transport Ministry of Economic and Finance	MOC MEF Participants from this training and GDCE's staff	MEF, MOI, Ministry of agriculture, industry, health) private company (CLA, CAMTA, SMEs)	Cross-Border Paperless Trade - decreasing of using paper base for CBT instead of using techno. - awareness of benefit for becoming the party of FA on cross border facilitation and Paperless trade in Asia Pacific - Promote the implementation of SNW, Pre-arrival system etc.	Fund Support and technical

7.6.2. P.R China's Action Plan: Strategic Paper

Country		<input type="radio"/> Cambodia <input type="radio"/> PR China <input checked="" type="radio"/> <u>PR China</u>	<input type="radio"/> Lao PDR <input type="radio"/> Myanmar	<input type="radio"/> Thailand <input type="radio"/> Viet Nam
Name	1. FEI Yunhan 2. YANG Zongbo	Position & Organiz	1. program officer, Department of Commerce of Yunnan	
			2. program officer, Department of Commerce of Yunnan	

	3. DUAN YU		3. program officer, Department of Commerce of Yunnan
	4. ZHAO Wenjing		4. program officer, Department of Commerce of Yunnan

Action Plan Activity	<i>Writing a strategy paper for our department</i>
Objectives	1) to introduce international and regional frameworks in ET and ES for colleagues
	2) to introduce status and frameworks in the LM countries in ET and ES for colleagues
	3) to discuss on electronic transactions cooperation with LM countries under the framework of RECP

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc)	People/Organization Responsible	Team Members/Technical or Resource Persons	Target Participants/Beneficiaries	Expected Results	Required support from MI
Writing a strategy paper for our department	Organising a knowledge session for our colleagues	May	onsite	FEIYunhan, YANG Zongbo, DUAN YU, ZHAO Wenjing	FEIYunhan, YANG Zongbo, DUAN YU, ZHAO Wenjing	Colleagues from our department who are interested in electronic transactions	Have knowledge on ET and ES in international frameworks and LM countries	

7.6.3. Lao PDR's Action Plan: The impact of National Single Window (LNSW) on economic operator: a case study of Lao PDR

1. Background

With support of the Lancang-Mekong Cooperation Special Fund, Mekong Institute (MI) conducted two-week live online training sessions on March 1-12, 2021. The live online training sessions were a part of Modular Training Program on "Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures".

As part of the training program, the Laos' team is implementing the action plan under the title "the impact of National Single Window (LNSW) on economic operator: a case study of Lao PDR". The action plan consists of preparation of a short research paper and conducting a dissemination session. The project implementation period starts from April 1, 2021 until June 30, 2021. The dissemination session on the research outcome will be conducted in the second week of June, 2021.

The overarching objective of the training program is to enhance ICT connectivity and usage through improvements in infrastructure and facilities for facilitating cross-border trade and investment. A total of 40 senior- and mid-level participants representing ministries of commerce/trade, economy and industry, companies, industry associations, academic, and research institutions from the Lancang-Mekong countries, i.e. Cambodia, P.R. China, Lao PDR, Myanmar, Thailand, and Vietnam participated in the live sessions of the online training course.

MI team and seven (07) resource persons facilitated and delivered four inter-related modules during the live training sessions: (i) Electronic Transactions and Use of Electronic Signatures in Digital Age; (ii) International and Regional Frameworks; and (iii) Status and Frameworks in the LM Countries; and (iv) Emerging Trends. The fifth module of the training program is Action Plan Implementation. The current research action plan on "the impact of National Single Window (LNSW) on economic operator: a case study of Lao PDR". is a part of the Lao team's action plan implementation.

2. Objectives of the Action Plan (AP)

- To understand bottlenecks of service performance (i.e., processing time of LNSW system and platform)
- To keep track/ monitor the response/ feedback from users of the LNSW
- To provide practical policy recommendations for policymakers to enhance the effectiveness of LNSW

3. Expected Outcomes of the Action Plan (AP)

- Evidence-based research outcome with practical policy recommendations on improving the LNSW's efficiency
- Dissemination session participated by stakeholders and policy makers

4. Duration and Location

- The AP shall be implemented at Economic Research Institute for Industry and Trade (ERIIT), Ministry of Industry and Commerce (MOIC) between June 14-18, 2021 (tentative)

5. Target Participants/Stakeholders/Respondents

The dissemination session will cover research outcome presentation and panel discussion session, in which the participants will be

- Policy makers (5 people)
- Researchers (10 people)
- Stakeholders from both government and private sectors (10 people)
- Undergraduate students (5 people)

6. Implementation Arrangements

- The AP will be implemented from April 1, 2021 and completed on June 30,2021
- The AP reports shall be submitted to MI on June 30,2021

To this end, the AP implementation team shall work closely with the Project Team in Trade and Investment Facilitation Department (TIF), Mekong Institute (MI) to:

- Confirm the theme / subject, the AP implementation form, e.g. the type of the activity, implemetation timeframe, implementing team, resource/technical persons, agenda/outline of the activity and budget
- Submit letter of request financial support for review, approval and first fund transfer by the MI TIF Team
- Submit AP implementation report together with associated documents, if any, for the final fund transfer.

7. Contact

- Somdeth BOHDISANE, Ph.D. Economic Research Institute for Industry and Trade (ERITT), Ministry of Industry and Commerce
Email: somdethx@yahoo.com, Phone numbers: +856 20 55542453

7.6.4. Myanmar’s Action Plan: Awareness Building Program on Country’s Readiness for the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific (Myanmar)

Country- Myanmar		<input type="radio"/> Cambodia	<input type="radio"/> Lao PDR	<input type="radio"/> Thailand
		<input type="radio"/> PR China	<input type="radio"/> Myanmar	<input type="radio"/> Viet Nam
Name	1. Ms.Ohn Mar Aye	Position	1.Director, Transport & Telecommunication Section, Planning Dept, Ministry of Planning, Finance and Industry	

	2. Mr. Zarni Myint Swe		2. Assistant Director, WTO Division, Department of Trade, Ministry of Commerce
	3. Ms. Aye Kyu Myint		3. Assistant Director, Financial Institutions Regulation & Anti-money Laundering Department, Central Bank of Myanmar
	4. Ms. Mya Lwin Lwin Aung		4. Deputy Director, Myanmar, Eei-Ims
	5. Mr. Than Win Aung		5. MIFFA
	6. Dr. Phyu Phyu Win		6. Deputy Director, Electrical Inspection Dept, Directorate of Industrial Supervision & Inspection, Ministry of Planning, Finance and Industry

Action Plan Activity	<i>Awareness Building Program on Country's Readiness for the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific (Myanmar)</i>
Objectives	1) To enhance - Awareness raising and Capacity Building on relevant stakeholders regarding the understanding the cross-border ET & ES to apply paperless trade
	2) To promote - Relevant agencies and traders getting opportunities from utilizing ET & ES tools & Instruments
	3) To highlight liability of parties or agencies involved in cross-border paperless trade in relation to data processing system
	4) To encourage the paperless trade environment utilizing online information system especially on Economics Zones

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc))	People/ Organization Responsible	Team Members/ Technical or Resource Persons	Target Participants/ Beneficiaries	Expected Results	Required support from MI
Awareness Building	Knowledge Sharing to relevant agencies & stakeholders about the importance of ET & ES in E-commerce in the current scenario for	June 2021 (1 day session) Two times	Online-Zoom	<ul style="list-style-type: none"> Ministry of Planning Finance and Industry (MOPFI) 	Team Members of this projects <ul style="list-style-type: none"> Customs Dept Department of Trade 	<ul style="list-style-type: none"> Customs Dept, Cyber security Dept, Financial Institutions, 	Understanding the importance of ET&ES in paperless trade	Experts from MI - UNNEXT expert or UNCITRAL expert

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc))	People/ Organization Responsible	Team Members/ Technical or Resource Persons	Target Participants/ Beneficiaries	Expected Results	Required support from MI
	implementation cross-border paperless trade			<ul style="list-style-type: none"> Ministry of Commerce (MOC) MOTC Central Bank of Myanmar Participants from this MI training 	<ul style="list-style-type: none"> Cyber Security Dept (MOTC) Central Bank of Myanmar 	<ul style="list-style-type: none"> Department of Trade, UMFCCI, Lawyers from Attorney General Relevant Agencies / stakeholders *(100) persons 		
	Training for targeted agencies & line ministerial departments regarding the utilizing ET& ES instruments in cross-border paperless trade	July 2021 * (2 or 3 days)	Online-Zoom	<ul style="list-style-type: none"> Ministry of Planning Finance and Industry (MOPFI) Ministry of Commerce (MOC) MOTC Central Bank of Myanmar Participants from this MI training 	<ul style="list-style-type: none"> Team Members of this projects Customs Dept, Department of Trade Cyber Security Dept (MOTC) Central Bank of Myanmar Logistics' Associations 	<ul style="list-style-type: none"> Customs Dept, Cyber security Dept, Financial Institutions, Department of Trade, Relevant Agencies *(35 -40) persons 	Understanding ET&ES through online system in paperless trade	Experts from MI - UNNEXT expert or UNCITRAL expert & Thai Customs Dept

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc))	People/ Organization Responsible	Team Members/ Technical or Resource Persons	Target Participants/ Beneficiaries	Expected Results	Required support from MI
	Knowledge Sharing Workshops for stakeholders from Economic Zones and relevant associations for future perspective	Aug 2021 * (2 days)	Online-Zoom	<ul style="list-style-type: none"> • MOPFI • MOC • MOTC • Central Bank of Myanmar • Participants from this MI training 	<ul style="list-style-type: none"> • Team Members of this projects • Customs Dept, • Department of Trade • Cyber Security Dept (MOTC) • Central Bank of Myanmar • Logistics' Associations • Myanmar Custom Broker Associations 	<ul style="list-style-type: none"> • Financial Institutions, • Relevant Agencies / Associations • MMMDA *(150) persons 	Enhancing paperless trade through online system	Experts from MI - UNNEXT expert or UNCITRAL expert & Thai Customs Dept

7.6.5. Thailand's Action Plan: Workshop Cascade E Commerce Electronic Transaction & Signature

Country	<input type="radio"/> Cambodia <input type="radio"/> PR China		<input type="radio"/> Lao PDR <input type="radio"/> Myanmar		<input type="radio"/> Thailand <input type="radio"/> Viet Nam	
Name Thailand team	2. Burapong Voraraktara	Position & Organization	1.			
	3. Subin Pongpanmeesuk		2.			
	4. Ploynapus Roengsaengsilp		3.			

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Action Plan Activity	Workshop Cascade E Commerce Electronic Transaction & Signature
Objectives	1) Enhance understanding and application of cross-border electronic transactions and the use of electronic signatures
	2) Encourage increased cross-border cooperation on cross-border electronic transactions and the use of electronic signatures.
	3) To suggest solutions to specific issues and challenges arising out of COVID-19.
	By using digital signature, electronic signature , PKI

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc)	People/Organization Responsible	Team Members/Technical or Resource Persons	Target Participants/Beneficiaries	Expected Results	Required support from MI
Explore key important topics to exercise in Workshop	Rehearse lessons	30 April	Zoom Meeting	Burapong/Subin/Ploynapus	Suppasuk /	-	Topics to be in Workshop	-
Confirm topics And coordinate with RPs, prepared material and methods			Telephone	Burapong/Subin/Ploynapus	Suppasuk	-	Methods & materials	Letter to RP

Key Activities: What	Sub activities: What	When (by June 30, 2021)	Mode (online or onsite; tool (zoom etc)	People/Organization Responsible	Team Members/Technical or Resource Persons	Target Participants/Beneficiaries	Expected Results	Required support from MI
Prepare venue / Public relation / ads		May 31th		Burapong/Subin/Ploynapus			Venue, date, number of participant	
Workshop & training		Jun 30th		Burapong/Subin/Ploynapus/RPs	Suppasuk /KhonkaenChamber of Commerce	SME, entrepreneur , traders	Knowledge, awareness,practice by participants	-
Post evaluation & summary of the result of the workshop		Mid July		Burapong/Subin/Ploynapus				

7.6.6. Vietnam's Action Plan: Speed up- Development of essential knowledge for promoting cross- border electronic transactions and the use of electronic signatures

1. Background

With support of the Lancang-Mekong Cooperation Special Fund, Mekong Institute (MI) conducted two-week live online training sessions on March 1-12, 2021. The live online training sessions were a part of Modular Training Program on "Facilitating Cross-Border Electronic Transactions and the Use of Electronic Signatures".

As part of the training program, Vietnam team is writing a handbook of Electronic Transactions and the Use of Electronic Signatures for promoting cross-border electronic transactions and the use of electronic signatures between April 10 and June 30, 2021.

The overarching objective of the training program is to enhance ICT connectivity and usage through improvements in infrastructure and facilities for facilitating cross-border trade and investment. A total of 40 senior- and mid-level participants representing ministries of commerce/trade, economy and industry, companies, industry associations, academic, and research institutions from the Lancang-Mekong countries, i.e. Cambodia, P.R. China, Lao PDR, Myanmar, Thailand, and Vietnam participated in the live sessions of the online training course.

MI team and seven (07) resource persons facilitated and delivered four inter-related modules during the live training sessions: (i) Electronic Transactions and Use of Electronic Signatures in Digital Age; (ii) International and Regional Frameworks; and (iii) Status and Frameworks in the LM Countries; and (iv) Emerging Trends.

The fifth module of the training program is Action Plan Implementation. The handbook of Electronic Transactions and the Use of Electronic Signatures will be drafted and finalized as a part of Vietnam team's action plan implementation.

2. Objectives of the Action Plan (AP)

Speed up- Development of essential knowledge for promoting cross- border electronic transactions and the use of electronic signatures for doing business

3. Expected Outcomes of the Action Plan (AP)

- Smoother application of electronic transaction and electronic signatures for doing business

4. Duration and Location

- The AP shall be implemented in Quang Tri province, Cantho city from April 10 to Jun 30 2021. - Online due to Covid 19./ offline partly

5. Target Participants/Stakeholders/Respondents

At least 30 young entrepreneurs of Quang Tri, Ca Mau, Soc Trang, Bac Lieu (coastal provinces) from where the Asean markets may be easily accessed

6. Implementation Arrangements

Building a handbook of Electronic Transactions and Use of Electronic Signatures for doing business

- The AP will be implemented from April 10 and completed on Jun 30 2021
- The AP reports shall be submitted to MI on Jun 30 2021

To this end, the AP implementation team shall work closely with the Project Team in Trade and Investment Facilitation Department (TIF), Mekong Institute (MI) to:

- Confirm the theme / subject, the AP implementation form, e.g. the type of the activity, implemetation timeframe, implementing team, resource/technical persons, agenda/outline of the activity and budget
- Submit letter of request financial support for review, approval and first fund transfer by the MI TIF Team
- Submit AP implementation report together with associated documents, if any, for the final fund transfer.

7. Contact

Ms. Vo Thi Thu Huong- Deputy Dicrector of VCCI Cantho – thuhuongvccict@gmail.com- +84908149631

Mr. Tran Thanh Tuan- Expert- Department of Information and Communications of Quang Tri, Center of Tecnology and Comunication. - thanhtuanqtrit@gmail.com-+84. 935869959



MEKONG INSTITUTE

About Mekong Institute

The Mekong Institute (MI) is an Inter-Governmental Organization (IGO) working closely with the governments of six countries, namely Cambodia, P.R.China, Lao PDR, Myanmar, Vietnam and Thailand, to promote regional development, cooperation and integration by offering capability development programs across three cutting themes of Agricultural Development and Commercialization (ADC), Trade and Investment Facilitation (TIF), and Innovation and Technological Connectivity (ITC).

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