

Digital trade agreements and their effect on e-commerce expansion in emerging markets

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Abstract

Digital trade agreements are playing an increasingly influential role in shaping the e-commerce landscape across emerging markets. As global trade continues to shift toward online platforms, these agreements provide the necessary legal and institutional frameworks to facilitate digital transactions, enhance interoperability, and promote trust in the digital environment. Emerging economies are leveraging digital provisions embedded within bilateral and regional trade agreements to improve market access, foster cross-border collaboration, and accelerate digital transformation.

This article investigates the impact of digital trade agreements on e-commerce growth, focusing on critical areas such as cross-border data flows, electronic payments, cybersecurity, and digital taxation. It highlights how well-structured agreements contribute to the reduction of trade frictions, expansion of digital infrastructure, and integration of small businesses into international value chains. While these agreements open new opportunities for digital commerce, challenges persist, including regulatory misalignment, limited digital capacity, and infrastructure gaps. Using comparative analysis and case studies from selected emerging economies, the article provides insights into policy effectiveness, implementation gaps, and strategic approaches for maximizing the benefits of digital trade. It concludes by offering policy recommendations that support inclusive and sustainable e-commerce expansion through strengthened digital cooperation and harmonized trade standards.

Keywords: Digital Trade Agreements; E-Commerce Expansion; Emerging Markets; Cross-Border Data Flows; Electronic Transactions; Digital Infrastructure

1. Introduction

The global economy has undergone a fundamental transformation with the acceleration of digital trade and the rise of e-commerce platforms. In emerging markets, this shift represents both an opportunity and a challenge as governments and businesses work to integrate digital solutions into traditional trade ecosystems. Digital trade agreements have emerged as a strategic tool for enabling such integration by establishing legal and operational frameworks that support digital transactions, enhance trust, and reduce trade barriers in the online space.

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E-commerce expansion in emerging markets is increasingly dependent on the effectiveness of digital trade provisions embedded in regional and international agreements. These agreements not only promote cross-border data flows and electronic authentication but also address issues such as privacy regulation, intellectual property protection in digital content, and consumer rights in online marketplaces. By aligning domestic digital policies with global standards, countries position themselves to attract investment, boost innovation, and enable small and medium enterprises to participate in international markets.

However, the effectiveness of digital trade agreements in driving e-commerce growth is shaped by the readiness of local infrastructure, the maturity of digital governance, and the flexibility of regulatory frameworks. For emerging economies with diverse institutional capacities and developmental priorities, the implementation of digital trade commitments presents unique complexities. This article explores how digital trade agreements have influenced e-commerce development in these contexts and evaluates the conditions under which they produce transformative economic outcomes.

2. Understanding digital trade agreements

Digital trade agreements are structured legal instruments that aim to establish standardized rules for the exchange of goods and services in the digital environment. These agreements go beyond traditional trade mechanisms by incorporating digital-specific provisions that regulate cross-border data flow, e-signatures, online consumer protection, digital taxation, and cybersecurity cooperation. For emerging markets, digital trade agreements are becoming essential tools to modernize trade systems and gain access to global e-commerce markets.

Unlike conventional trade treaties, digital trade agreements are tailored to address the dynamic nature of the internet economy. They provide binding commitments that promote open data regimes while ensuring that privacy and security are not compromised. This is particularly crucial for regions where digital ecosystems are still developing and require international collaboration to build trust, enhance interoperability, and encourage digital entrepreneurship.

Moreover, digital trade agreements play a pivotal role in reducing digital trade barriers. By promoting mutual recognition of digital authentication standards and eliminating discriminatory practices in online services, they foster a more predictable and inclusive environment for cross-border digital commerce.

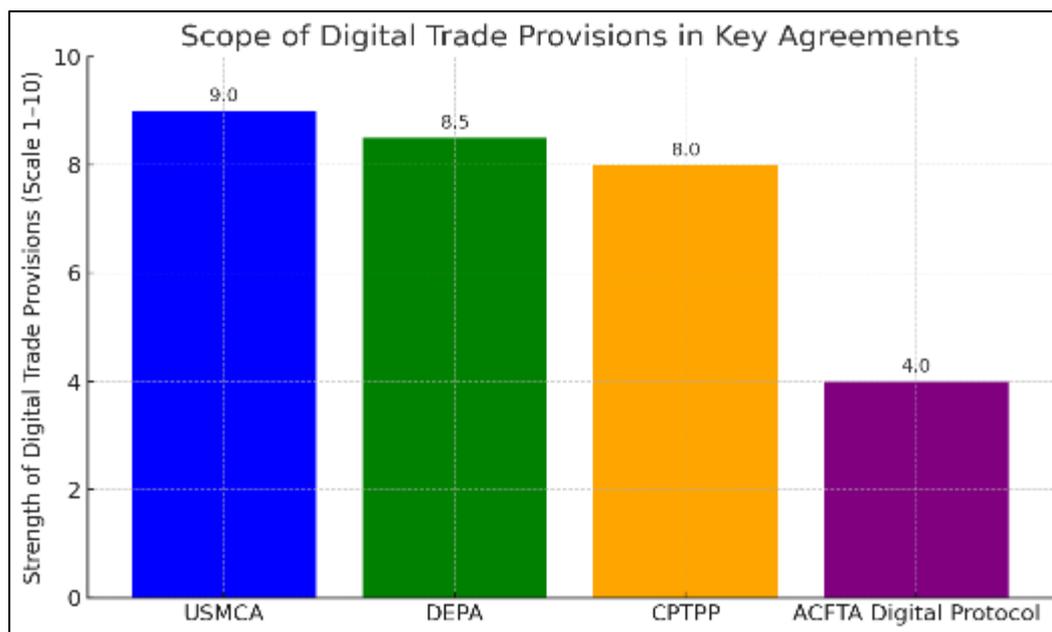


Figure 1 The graph illustrating the varying scope of digital trade provisions across key agreements. It shows how USMCA, DEPA, and CPTPP lead with strong digital standards, while the ACFTA Digital Protocol reflects a more gradual integration approach within African regional efforts

3. Overview of E-Commerce Growth in Emerging Markets

The e-commerce sector in emerging markets has experienced rapid transformation driven by increasing internet penetration, mobile device adoption, digital payment systems, and a rising middle class with growing purchasing power. As digital technologies reshape consumer behavior and supply chains, e-commerce has evolved into a critical pillar for economic diversification and inclusion in these regions.

In countries across Africa, Asia, and Latin America, local and international online platforms have gained traction by bridging gaps in retail infrastructure and offering new channels for trade. Informal markets are increasingly formalized through mobile commerce and digital storefronts, allowing small and medium enterprises to reach national and global customers.

Governments in emerging markets have recognized the role of e-commerce as a catalyst for growth and have introduced policy reforms to support digital entrepreneurship, expand broadband access, and improve logistics systems. Nevertheless, the expansion is uneven, often hindered by digital divides, regulatory inconsistencies, and inadequate enforcement of consumer protections in online transactions.

Despite these challenges, emerging markets now represent some of the most dynamic e-commerce growth corridors. Countries such as India, Brazil, Nigeria, Vietnam, and Indonesia are projected to experience double-digit growth in online retail sales, contributing significantly to global e-commerce value creation. Regional integration efforts, including the African Continental Free Trade Area digital protocols and ASEAN digital initiatives, have further enhanced the visibility and relevance of digital trade as a key driver of development.

The role of digital trade agreements in this context becomes critical. They serve not only to open new digital trade routes but also to harmonize fragmented policy landscapes that have historically limited e-commerce scale in developing economies.

4. Key Provisions of Digital Trade Agreements Impacting E-Commerce

Digital trade agreements incorporate a range of provisions that directly influence the structure, performance, and growth of e-commerce across borders. These provisions are designed to eliminate digital trade barriers, promote secure digital environments, and create predictable rules for businesses operating online.

4.1 Among the most impactful provisions are

4.1.1 *Cross-Border Data Flow*

- This ensures that data necessary for e-commerce operations can move freely across jurisdictions, enabling companies to manage logistics, payments, customer support, and inventory in real-time. Restrictions on data localization are also addressed, preventing costly infrastructure duplication.

4.1.2 *Electronic Authentication and E-Signatures*

- Agreements establish legal equivalence for digital authentication, simplifying cross-border contract enforcement and transactions, particularly beneficial to startups and SMEs engaging in international trade.

4.1.3 *Consumer and Privacy Protection*

- Consumer trust is vital to e-commerce success. Provisions set standards for transparency, dispute resolution, data privacy, and cybersecurity, reducing uncertainty for users and investors.

4.1.4 *Digital Customs and Paperless Trading*

- These clauses support streamlined trade facilitation by reducing paperwork, improving customs efficiency, and enabling real-time tracking of goods. This accelerates delivery timelines and enhances the competitiveness of digital sellers.

4.1.5 *Non-Discriminatory Treatment of Digital Products*

- Many agreements prohibit unfair treatment of foreign digital goods and services, creating a level playing field and encouraging innovation and competition.

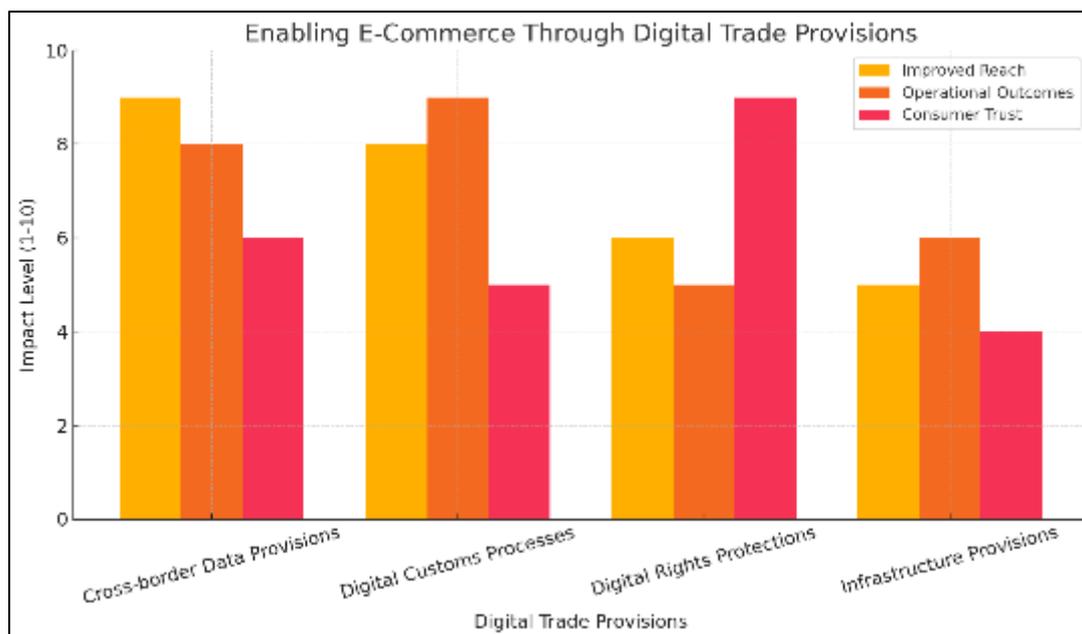


Figure 2 How different digital trade provisions impact e-commerce across three areas: reach, operational outcomes, and consumer trust

5. Case Studies from Selected Emerging Economies

Digital trade agreements have played diverse roles in shaping e-commerce ecosystems across emerging markets. These impacts vary based on digital infrastructure readiness, institutional capacity, and national policy alignment with international standards. This section presents selected case studies from Nigeria, India, Vietnam, and Brazil to illustrate how digital trade provisions influence local e-commerce expansion.

5.1 Nigeria

As a key player in Africa's digital transformation, Nigeria's participation in the African Continental Free Trade Area's digital protocol has opened new opportunities for harmonized digital trade across the continent. The country has made strategic investments in broadband penetration and digital identity infrastructure, which, combined with regional cooperation, are supporting cross-border e-commerce growth. However, regulatory uncertainty and fragmented data governance still pose challenges for full-scale integration.

5.2 India

India's digital economy has grown exponentially, driven by initiatives like Digital India and UPI for payments. While the country remains cautious in committing to data flow liberalization, bilateral digital cooperation with countries like Singapore and the UAE has facilitated smoother digital services exchange. India's approach illustrates a hybrid model where domestic digital sovereignty is balanced with selective external commitments.

5.3 Vietnam

Vietnam's participation in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership has enabled it to strengthen digital service exports and streamline customs processes. The agreement's e-commerce chapter has accelerated the modernization of Vietnam's regulatory framework, encouraged foreign investment and empowering local digital startups to scale.

5.4 Brazil

Brazil's entry into digital trade cooperation through the MERCOSUR framework and discussions with the European Union has brought forward new regulatory standards for e-commerce. The emphasis on consumer data protection and digital taxation has enhanced user trust, especially in fintech and cross-border digital services. However, high compliance costs and infrastructure disparities across regions remain concerns.

Table 1 Comparative Impact of Digital Trade Agreements on E-Commerce Growth in Selected Emerging Economies

Country	Agreement Involved	Key Digital Provisions Adopted	Positive Outcomes	Ongoing Challenges
Nigeria	ACFTA Digital Protocol	Data flow frameworks, customs digitization	Expanded regional e-commerce integration	Regulatory inconsistency, low enforcement
India	Bilateral with Singapore, UAE	Digital payments, partial data openness	Boost in cross-border fintech and services	Policy hesitation on cross-border data flow
Vietnam	CPTPP	Full e-commerce chapter, digital services	FDI growth, streamlined digital customs	Technical gaps in smaller cities
Brazil	MERCOSUR, EU discussions	Consumer protection, digital taxation	Stronger digital trust, fintech expansion	Cost of compliance, infrastructure disparity

The table presents a comparative overview of how selected emerging economies have engaged with digital trade agreements and the resulting effects on their e-commerce environments. By examining Nigeria, India, Vietnam, and Brazil, the table highlights distinct regional approaches to digital integration, the types of agreements leveraged, and the specific digital provisions adopted.

6. Role of Multilateral and Regional Agreements

Multilateral and regional digital trade agreements are central to advancing the e-commerce agenda in emerging markets. These frameworks create platforms for shared regulatory standards, digital cooperation, and broader market access, enabling participating countries to overcome domestic limitations and accelerate digital economic transformation.

At the multilateral level, institutions such as the World Trade Organization have initiated dialogues through frameworks like the Joint Statement Initiative on E-Commerce. Although consensus remains complex due to diverse national interests, these efforts aim to establish global norms on cross-border data governance, digital customs, online consumer protection, and cybersecurity. For emerging economies, multilateral dialogue presents a long-term avenue to integrate into the global digital economy while advocating for fair access and equitable digital infrastructure development.

Regional agreements, on the other hand, have emerged as more agile and responsive instruments. Initiatives like the African Continental Free Trade Area Digital Trade Protocol, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, the ASEAN Digital Integration Framework, and the Digital Economy Partnership Agreement have created strong mechanisms for digital standardization across regions. These agreements often include enforceable commitments on paperless trade, mutual recognition of electronic signatures, non-discriminatory treatment of digital products, and data protection interoperability.

6.1 For emerging markets, regional agreements offer three critical advantages

6.1.1 Policy Harmonization

- They help align national policies with broader regional goals, reducing regulatory fragmentation and improving predictability for digital businesses.

6.1.2 Collective Bargaining Power

- Through regional blocs, smaller economies can negotiate more effectively with global digital service providers and multinational e-commerce platforms.

6.1.3 Capacity Building and Technical Assistance

- Regional frameworks often include provisions for knowledge transfer, institutional development, and funding for digital infrastructure, which are essential for countries still building foundational digital capabilities.

The success of these agreements, however, is dependent on effective implementation at the national level. Weak institutional capacity, legislative bottlenecks, and uneven digital readiness can undermine the intended benefits of

regional cooperation. Moreover, overlapping obligations across multiple agreements may create legal and operational complexities that must be navigated with coordinated policy action. As emerging markets continue to embrace digitalization, active engagement in regional and multilateral digital trade initiatives remains a strategic imperative. These platforms not only amplify national efforts but also reinforce collective progress toward a more open, secure, and inclusive global digital marketplace.

7. Benefits of Digital Trade Agreements for E-Commerce Expansion

Digital trade agreements offer a structured pathway for emerging markets to unlock the full potential of e-commerce. By reducing legal and operational barriers to digital transactions, these agreements enhance the capacity of businesses, consumers, and governments to participate in a more integrated global digital economy.

7.1 Improved Market Access

Digital trade agreements eliminate discriminatory practices against foreign digital goods and services, allowing emerging market exporters to reach new customers across borders. By ensuring non-preferential treatment in areas such as online platforms, cloud services, and mobile applications, these agreements increase digital product competitiveness in global markets.

7.2 Lower Transaction Costs

Through paperless trade, streamlined digital customs procedures, and electronic documentation, digital trade agreements significantly reduce transaction times and costs. These benefits are especially critical for micro, small, and medium enterprises that lack the resources to navigate complex border procedures.

7.3 Enhanced Consumer and Business Trust

Provisions on data privacy, cybersecurity, and digital identity build a secure and predictable environment for online transactions. This enhances consumer confidence and encourages more frequent digital interactions, particularly in regions where trust in online services has historically been low.

7.4 Support for SME Participation

Digital agreements often include capacity-building components that target small businesses, offering access to digital tools, platforms, and training. By leveling the playing field, these provisions enable SMEs to engage in international e-commerce, diversify their markets, and drive local innovation.

7.5 Facilitation of Digital Infrastructure Development

The legal certainty provided by digital trade agreements helps attract foreign direct investment into broadband, logistics, fintech, and data center infrastructure. This not only supports e-commerce operations but also strengthens the broader digital economy.

7.6 Regulatory Alignment and Governance Reform

Participation in digital trade frameworks often prompts domestic regulatory updates, encouraging governments to modernize outdated commercial laws, introduce digital taxation regimes, and adopt international cybersecurity and privacy standards.

7.7 Encouragement of Innovation and Competition

By opening digital markets and removing artificial entry barriers, digital trade agreements foster innovation. Tech startups and digital service providers benefit from greater interoperability and access to wider user bases, stimulating competition and service quality improvements.

These benefits are not automatically realized. They require committed implementation, monitoring, and institutional coordination. However, when effectively integrated into national strategies, digital trade agreements offer a clear roadmap to amplify the growth of e-commerce, promote inclusivity, and strengthen economic resilience in emerging markets.

8. Challenges and Limitations Faced by Emerging Markets

While digital trade agreements present significant opportunities, emerging markets face numerous challenges that limit their ability to fully leverage these frameworks for e-commerce growth. These limitations are often structural, regulatory, and institutional, creating a fragmented environment that slows digital transformation.

8.1 Inadequate Digital Infrastructure

Many emerging markets still struggle with low internet penetration, unreliable broadband connectivity, and insufficient data storage capacity. These gaps restrict access to online platforms and hinder participation in cross-border digital trade.

8.2 Regulatory Fragmentation

Lack of harmonization between national digital regulations and international standards often creates compliance uncertainty for businesses. Divergent rules on data protection, consumer rights, and digital taxation make regional and global integration more complex.

8.3 Limited Institutional Capacity

Effective implementation of digital trade commitments requires strong legal institutions, capable regulatory bodies, and efficient enforcement mechanisms. In many cases, limited resources and technical expertise delay legislative reforms and weaken monitoring efforts.

8.4 Legal Ambiguity and Policy Gaps

Emerging economies frequently lack up-to-date digital commerce laws, leaving gaps in areas such as intellectual property for digital goods, platform accountability, and cross-border consumer dispute resolution. These uncertainties discourage investment and reduce user confidence.

8.5 Skills and Talent Shortages

The development of digital trade ecosystems depends on a skilled workforce. However, many countries face shortages of ICT professionals, e-commerce logistics experts, and cybersecurity specialists, slowing innovation and platform scalability.

8.6 Cross-Border Logistics Barriers

Physical and regulatory trade bottlenecks remain a challenge, particularly in landlocked or infrastructure-deficient regions. These barriers affect delivery reliability, payment systems, and after-sales service, which are critical to digital commerce success.

Table 2 Structural and Policy Challenges Limiting Digital Trade Effectiveness in Emerging Markets

Challenge Area	Description	Impact on E-Commerce Expansion	Example Region/Country
Digital Infrastructure	Poor internet access, low digital connectivity, limited cloud capacity	Hinders platform usage and business onboarding	Central Africa
Regulatory Misalignment	Inconsistent laws on data privacy and digital taxation	Creates trade uncertainty and legal risks	Southeast Asia
Institutional Weakness	Lack of enforcement, outdated regulations	Slows implementation of trade provisions	South Asia
Legal and Policy Gaps	No clear laws for digital IP, platform governance	Discourages foreign investment and innovation	West Africa
Talent and Skills Shortage	Few trained digital workers and developers	Reduces competitiveness and innovation ability	Latin America
Logistics Constraints	Weak cross-border trade and customs processes	Affects fulfillment and customer satisfaction	Landlocked regions in East Africa

This table provides a diagnostic overview of the most pressing challenges facing emerging economies in the context of digital trade and e-commerce. It serves as a reference for policymakers, development agencies, and investors to prioritize reforms and technical assistance in areas where digital trade readiness is lagging.

9. Policy Recommendations for Effective Implementation

To unlock the full benefits of digital trade agreements and drive sustainable e-commerce expansion, emerging markets must adopt deliberate and coordinated strategies that bridge the gap between agreement commitments and on-the-ground realities. The following policy recommendations provide a framework for governments, development institutions, and regional organizations to enhance implementation effectiveness:

9.1 Strengthen Digital Infrastructure Investment

Public and private sector collaboration is essential to expand broadband coverage, enhance data center capacity, and upgrade logistics networks. Targeted investment in underserved regions will improve accessibility and facilitate broader participation in digital trade.

9.2 Harmonize Domestic Regulations with International Standards

Governments should prioritize the alignment of national legal frameworks with global norms on cross-border data flow, electronic transactions, and digital consumer protection. This will reduce regulatory uncertainty and create a more attractive environment for e-commerce investments.

9.3 Build Institutional and Regulatory Capacity

Technical training for regulators, judges, and trade officials is critical to ensure proper enforcement of digital trade provisions. National digital trade task forces can serve as coordination hubs to oversee implementation, monitor progress, and engage stakeholders.

9.4 Develop Clear and Inclusive Digital Commerce Laws

Policymakers should draft comprehensive digital trade legislation that addresses key areas such as digital taxation, platform liability, electronic contract enforcement, and digital intellectual property rights. These laws should be inclusive and adaptable to future technological shifts.

9.5 Promote Regional Digital Cooperation

Active participation in regional digital platforms and standard-setting bodies can accelerate integration and foster shared innovation. Joint digital infrastructure projects, harmonized digital identities, and regional cybersecurity protocols will enhance interoperability across markets.

9.6 Support SME Participation in E-Commerce Ecosystems

Governments and trade agencies should create support programs that provide training, financial incentives, and market access tools for small and medium enterprises. This ensures inclusive growth and maximizes the reach of digital trade benefits across economic sectors.

9.7 Expand Digital Literacy and Talent Development

Educational systems and vocational training programs must be modernized to equip the workforce with digital and entrepreneurial skills. Partnerships with tech firms and online learning platforms can accelerate skill acquisition and foster innovation.

9.8 Improve Cross-Border Payment and Logistics Systems

Enhancing the reliability of digital payment systems and cross-border delivery networks will reduce friction in e-commerce transactions. Encouraging interoperability between regional payment gateways and customs digitization will improve trade efficiency.

10. Conclusion

In the emerging market economies, digital trade agreements have developed as the key driver in defining the direction of e-commerce. They can support a legal and practical framework of digital transactions, which provide valuable assets to a transition to contemporary trade structures and the participation of developing economies into the digital global economy. The agreements have allowed nations to overcome structural deficits in data governance, electronic authentication, digital taxation, and consumer protection, and all these are also essential to the development of a solid and reliable e-commerce environment.

The case studies discussed in this analysis shows that the emerging economies are not merely victims of the digital trade flows but rather actors that endeavor to carve their place in the global digital economy. Countries which have harmonized domestic frameworks with international coding and followed the path of investing in base infrastructure and joining the regional cooperation frameworks have seen significant improvements as far as digital trade readiness and engagement with e-commerce participation.

However, it is true that some ongoing hurdles impede easy implementation of the gains of digital trade. The popular obstacles still include infrastructure inequality, fragmentation of regulatory environments, poor enforcement mechanisms, and shortage of skills. Such constraints highlight the need to make intentional policy decisions and make long-term investments into institutions to turn digital trade agreements into a source of inclusive growth.

The research results confirm the argument that digital trade agreements are not diplomatic but economic tools that define developmental paths of countries. In the case of the emerging markets, their actual worth is not in the text of negotiated provisions but in their thoroughness of implementation and harmony of domestic reforms that succeed them.

Innovation, policy harmonization, human capital development, and a cross-border network of innovation are the priorities of a forward-looking strategy. These factors are the keys to making digital trade truly transformative and the growth of e-commerce an instrument in higher-order objectives of racial and economic equity, sustainability, and economic resilience.

Compliance with ethical standards

Disclosure of conflict of interest

No conflict of interest to be disclosed.

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