

ccNSO Meeting Day 1 - ICANN 50

FREE TRADE AGREEMENTS & INTERNET POLICY IN LATIN AMERICA AND THE CARIBBEAN

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Free Trade Agreements and their Impact on Internet Policy

- Continuing the discussion from ICANN Buenos Aires
 - “Update on Leaked Trans-Pacific Partnership Agreement Document”
- Open discussion at LAC SPACE yesterday



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Free Trade Agreements and Internet Policy in LAC

Agreements on

- Domain Names
 - Dispute Resolution
 - “Whois”
- ISPs liability
- E-Commerce
- Data Protection
- Telecommunications
- “Disclaimers”

11 Countries of the Region in the Free Trade Agreements Network



Chile
Colombia
Costa Rica
El Salvador
Guatemala
Honduras
México*
Nicaragua
Panama
Peru
Dominican Republic

Treaties being negotiated at the moment

- The Trans-Pacific Partnership (TPP)
- Trade in Services Agreement (TISA)
- Transatlantic Trade and Investment Partnership (TTIP) (EU- US)

Dispute Resolution

*“1. Each Party shall require that the management of its country-code top level domain (ccTLD) provide an **appropriate procedure** for the settlement of disputes, based on the principles established in the **Uniform Domain-Name Dispute-Resolution Policy (UDRP)**, in order to address the problem of **trademark cyber-piracy**.”*

Trans-Pacific Partnership (Wikileaks version 2013)

- Geographical indication and trade names
- *UDRP OR*
 - i) expeditiously + low cost
 - (ii) fair + equitable,
 - (iii) not overly burdensome
 - (iv) does not preclude resort to court litigation

Implementation in Latin America

Different country experiences in treaty adoption and implementation



Trade Agreements and Internet Governance

- FTAs as an opportunity and a challenge for local IG
- The role of multistakeholderism
- Importance of flexible provisions that contemplate and accommodate national law and local culture
- Key: awareness and sharing expertise

Thank You!

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