

to drive inclusive growth and narrow development gaps in the ASEAN region.

**ARTICLE 3
SCOPE**

1. This Agreement shall apply to measures adopted or maintained by a Member State that affect e-commerce.
2. This Agreement shall not apply to government procurement.

**ARTICLE 4
RELATION TO OTHER AGREEMENTS**

1. Nothing in this Agreement shall derogate from the existing rights and obligations of a Member State under any other relevant ASEAN agreements¹ to which it is a party.
2. In the event of any inconsistency between this Agreement and any other relevant ASEAN agreement, that ASEAN agreement shall prevail to the extent of the inconsistency.

**ARTICLE 5
PRINCIPLES**

1. In the development and promotion of e-commerce, the role of each Member State shall be geared towards providing an enabling legal and regulatory environment, providing a conducive and competitive business environment, and protecting the public interest.
2. The legal and regulatory frameworks in each Member State to support e-commerce shall take into account internationally adopted model laws, conventions, principles or guidelines.

¹ The ATISA shall be deemed to be a relevant ASEAN agreement under this paragraph regardless of the date of entry into force of the ATISA.

推动东盟地区的包容性增长并缩小发展差距。

第三条 范围

1. 本协议适用于成员国采取或维持的影响电子商务的措施。
2. 本协议不适用于政府采购。

第四条 与其他协议的关系

1. 本协议中的任何内容均不得减损成员国作为缔约方的其他相关东盟协议¹ 项下的现有权利和义务。
2. 若本协议与任何其他相关东盟协定存在不一致, 则以该东盟协定为准, 不一致部分以东盟协定规定为优先。

第五条 原则

1. 在发展和促进电子商务过程中, 各成员国应致力于提供有利的法律和监管环境, 营造良好且具有竞争性的商业环境, 并保护公共利益。
2. 各成员国支持电子商务的法律和监管框架应考虑到国际采用的示范法、公约、原则或指南。

¹ 无论《东盟全面投资协定》的生效日期为何, 均应视为本款所指的相关东盟协定。

3. Each Member State shall encourage the use of alternative dispute resolution to facilitate the resolution of claims over e-commerce transactions.

4. Member States shall endeavour to recognise the importance of the principle of technology neutrality and recognise the need for alignment in policy and regulatory approaches among Member States to facilitate cross border e-commerce.

ARTICLE 6 COOPERATION

1. Each Member State shall cooperate in areas including:

- (a) Information and Communication Technology (ICT) infrastructure;
- (b) education and technology competency;
- (c) online consumer protection;
- (d) e-commerce legal and regulatory frameworks;
- (e) electronic transaction security, including protection of online personal information;
- (f) electronic payment and settlement;
- (g) trade facilitation;
- (h) intellectual property rights;
- (i) competition;
- (j) cybersecurity; and
- (k) logistics to facilitate e-commerce.

3. 各成员国应鼓励使用替代性争议解决方式，以促进电子商务交易索赔的解决。

4. 成员国应努力认识到技术中立原则的重要性，并认识到成员国之间政策和监管方法协调一致对促进跨境电子商务的必要性。

第六条 合作

1. 各成员国应在以下领域开展合作：

- (a) 信息和通信技术（ICT）基础设施；(b) 教育和技术能力；(c) 在线消费者保护；(d) 电子商务法律和监管框架；(e) 电子交易安全，包括在线个人信息保护；(f) 电子支付和结算；(g) 贸易便利化；(h) 知识产权；(i) 竞争；(j) 网络安全；以及(k) 促进电子商务的物流。