



2026/0191(NLE)

15.10.2026

DRAFT RECOMMENDATION

on the proposal for a Council decision on the conclusion of the Agreement on
Electronic Commerce
((13403/2026 – C10-0257/2026 – 2026/0191(NLE))

Committee on International Trade

Rapporteur: Brando Benifei

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the draft Council decision on the conclusion of the Agreement on Electronic Commerce
(13403/2026 – C10-0257/2026 – 2026/0191(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (13403/2026) on the conclusion of the Agreement on Electronic Commerce,
 - having regard to the draft Agreement on Electronic Commerce (13405/2026),
 - having regard to the request for consent submitted by the Council in accordance with Article 207(4), first subparagraph, and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C10-0257/2026),
 - having regard to its interim resolution of ... (date) on the proposal for a Council decision,
 - having regard to Rule 107(1) and (4) and Rule 117(7) of its Rules of Procedure,
 - having regard to the opinion of the Committee on Internal Market and Consumer Protection,
 - having regard to the recommendation of the Committee on International Trade (A[10-0000/2026]),
1. Gives its consent to the conclusion of the agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and to the World Trade Organisation.

EXPLANATORY STATEMENT

The Agreement on Electronic Commerce (ECA) establishes the first global baseline of rules for digital trade, combining commitments to facilitate electronic transactions, strengthen trust online and support economies at different levels of development. For the European Union, common rules are increasingly important as digital transactions permeate everyday economic activity, offering a means to expand opportunities for businesses and citizens while ensuring that international digitalisation develops within predictable, fair and transparent frameworks.

Digital trade accounts for around one quarter of international trade, while digitally delivered services represent more than half of global services exports. As artificial intelligence increasingly facilitates cross-border services and automated commercial transactions, coherent rules become indispensable, particularly for micro, small and medium-sized enterprises that face disproportionate costs in navigating fragmented regulatory frameworks. Such rules also give consumers greater confidence when dealing with providers across borders.

Amid rising unilateralism, protectionism and geopolitical fragmentation, the multilateral trading system is struggling to respond to technological change. Open plurilateral agreements offer a pragmatic means of advancing common standards when WTO-wide consensus is elusive, while preventing rulemaking from being determined primarily by the largest markets. For the EU, supporting such cooperation is not a departure from multilateralism, but an investment in its continued relevance.

On 28 March 2026, 67 WTO Members representing approximately 70% of global trade agreed on interim arrangements to bring the ECA into force, following unsuccessful attempts to incorporate it into Annex 4 of the WTO Agreement. The ECA will enter into force 30 days after the 45th instrument of acceptance is deposited. Coming as MC14 failed to renew the Work Programme on E-commerce and the multilateral moratorium on customs duties on electronic transmissions, this decision demonstrates that collective rulemaking can still advance despite institutional deadlock. Interim implementation must nevertheless remain an open, transitional step towards WTO incorporation and broader participation.

The Agreement merits support because it couples trade facilitation with safeguards that can make the digital economy more accessible and trustworthy. By recognising electronic contracts, authentication and signatures, facilitating electronic invoicing and payments, and promoting paperless trade, it can lower administrative costs, reduce uncertainty and enable European businesses, especially smaller exporters, to reach customers abroad without confronting unnecessary procedural barriers. In this way, global rules can reinforce the Union's competitiveness while widening participation in international markets.

Equally, cross-border digital markets cannot flourish without consumer confidence. Provisions addressing fraudulent and deceptive online practices, consumer redress, unsolicited commercial communications, cybersecurity cooperation and personal data protection recognise that protection and openness must advance together. Consumers should enjoy no lower level of protection online than offline, and greater trust should encourage participation, support fair competition and create more sustainable conditions for innovation.

The final text also responds to the different capacities of developing and least-developed

countries through implementation flexibility, needs assessments, technical assistance and capacity building. Its prohibition of customs duties on electronic transmissions will provide predictability among its parties without preventing domestic taxation, although concerns regarding revenue and unequal digital readiness remain legitimate. Addressing those concerns is essential to ensure that global digital rules narrow rather than entrench existing inequalities.

Beyond enabling the European Parliament to scrutinise the ECA and assess its implications, this resolution sets out Parliament's political priorities for its implementation. Democratic oversight of EU trade policy must extend beyond consent, with Parliament kept fully informed and involved throughout implementation and any future negotiations on additional disciplines. Such negotiations must preserve the Union's ability to protect fundamental rights, consumers and the public interest, while safeguarding the regulatory autonomy necessary to enforce Union law.

The ECA offers the Union an opportunity to promote high standards on data protection, fair competition, online consumer protection, including for minors, and trustworthy AI. Regulatory cooperation should foster interoperability without weakening safeguards, while the WTO deepens its engagement on AI and trade. In an increasingly competitive technological landscape, the EU must help shape global digital rules that promote innovation while protecting fundamental rights.

Implementation must also translate commitments into tangible development benefits so that participation in digital trade, including opportunities created by artificial intelligence, extends beyond economies already equipped to benefit from it.

The Agreement should be judged not only by how it facilitates trade, but by how it helps secure an open, predictable and trusted digital economy, in which the EU can remain engaged in shaping international rules without compromising its standards.

For all these reasons, the rapporteur recommends that the INTA committee gives its consent to the conclusion of the Agreement on Electronic Commerce.