CCIA Explainer[1]

Mapping Digital Trade Provisions in Recent Agreements

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Introduction

Throughout the second Trump administration, the United States has announced multiple bilateral trade deals. These agreements include a range of digital trade provisions that, if operationalized, could significantly expand market access for U.S. digital services exporters. Looking ahead, they may also serve as a template for evergreen digital trade commitments that the United States could pursue in future negotiations.

These arrangements include concluded Agreements on Reciprocal Trade (ARTs) with Malaysia, Cambodia, Ecuador, El Salvador, Guatemala, Argentina, Bangladesh, Taiwan, and Indonesia, Jordan, as well as several more preliminary instruments, including a Framework Agreement with the EU, a Framework Interim Agreement with India, a Strategic Trade and Investment Deal with Korea, and the U.S.–UK Economic Prosperity Deal.[2]

While the ARTs constitute binding trade commitments, the other announcements are institutional frameworks intended to shape future negotiations, in anticipation of similar, binding agreements.

Implementation

In terms of implementation, each ART contains provisions governing entry into force. In all ten cases, entry into force is conditioned on each party completing its applicable domestic legal procedures and providing written notification to the other party. The agreements differ primarily in the delay between notification and entry into force, ranging from immediate effect upon the final notification (Cambodia and Taiwan) to short implementation windows of five to 30 days (Ecuador, El Salvador, and Guatemala), 60 days (Malaysia, Argentina, Bangladesh, and Jordan), and 90 days (Indonesia).

Entry Into Force	
Argentina ART	*Article 6.7: Entry into Force* *This Agreement shall enter into force 60 days after the date on which the Parties have exchanged written notifications certifying completion of their applicable legal procedures or such other date as the Parties may agree.*
Bangladesh ART	*Article 6.6: Entry Into Force*

[2] Office of the United States Trade Representative. (n.d.). Agreements on Reciprocal Trade. https://ustr.gov/trade-agreements/agreements-reciprocal-trade; European Commission. (2025, August 21). Joint Statement on a United States-European Union framework on an agreement on reciprocal, fair and balanced trade. https://policy.trade.ec.europa.eu/news/joint-statement-united-states-european-union-framework-agreement-reciprocal-fair-and-balanced-trade-2025-08-21_en; The White House. (2026, February 26). UNITED STATES-INDIA JOINT STATEMENT. https://www.whitehouse.gov/briefings-statements/2026/02/united-states-india-joint-statement/; Office of the U.S. Trade Representative. (2025). Fact Sheet: The United States and Korea Agree to the Korea Strategic Trade and Investment Deal. https://ustr.gov/about/policy-offices/press-office/fact-sheets/2025/november/fact-sheet-united-states-and-korea-agree-korea-strategic-trade-and-investment-deal; The White House. (2025, May 8). General Terms for the United States of America and the United Kingdom of Great Britain and Northern Ireland Economic Prosperity Deal. https://www.whitehouse.gov/briefings-statements/2025/05/general-terms-for-the-united-states-of-america-and-the-united-kingdom-of-great-britain-and-northern-ireland-economic-prosperity-deal/.

	This Agreement shall enter into force 60 days after the date on which the Parties have exchanged written notifications certifying completion of their applicable legal procedures or on such other date as the Parties may decide.
Cambodia ART	*Article 7.5: Entry Into Force* *Each Party shall notify the other Party, in writing, once the internal procedures required for entry into force of this Agreement have been completed. This Agreement shall enter into force on the date of the last notification.*
Ecuador ART	*Article 7.7: Entry Into Force* *This Agreement shall enter into force 30 days after the date on which the Parties have notified each other in writing of the completion of their respective applicable legal procedures, or on such other date as the Parties may decide.*
El Salvador ART	*Article 7.7: Entry into Force* *This Agreement shall enter into force five (5) days after the date on which the Parties have notified each other in writing of the completion of their respective applicable legal procedures, or on such other date as the Parties may decide.*
Guatemala ART	*Article 7.7: Entry into Force* *This Agreement shall enter into force 30 days after the date on which the Parties have notified each other in writing of the completion of their respective applicable legal procedures, or on such other date as the Parties may decide.*
Indonesia ART	*Article 7.5: Entry Into Force* *This Agreement shall enter into force 90 days after the date on which the Parties have exchanged written notifications certifying completion of their applicable legal procedures or on such other date as the Parties may decide.*
Jordan ART	*Article 6.6: Entry into Force* *This Agreement shall enter into force 60 days after the date on which the Parties have notified each other in writing of the completion of their respective applicable internal procedures required for the entry into force of this Agreement.*
Malaysia ART	*Article 7.2: Entry into Force* *This Agreement shall enter into force 60 days after the date on which the Parties have exchanged written notifications certifying completion of their applicable legal procedures or on such other date as the Parties may agree.*
Taiwan ART	*Article 7.5: Entry into Force* *Each Party shall notify the other Party, in writing, once the internal procedures required for entry into force of this Agreement have been completed. This Agreement shall enter into force the day following the date of the last notification.*

The ARTs also contain enforcement provisions governing how potential non-compliance is addressed. In general, these provisions allow a party that believes the other has failed to comply with the agreement to seek consultations and, if necessary, take responsive action consistent with its domestic law. Most agreements also clarify that nothing in the ART constrains a party's ability to impose tariffs or other trade measures to address unfair trade practices, import surges, or national security concerns. Several ARTs include additional features: the Bangladesh agreement explicitly allows the United States to reimpose reciprocal tariff rates established in Executive Order 14257 if consultations fail to resolve non-compliance; the Argentina and Ecuador agreements channel implementation discussions through bilateral Trade and Investment Councils under their respective TIFAs; and the Indonesia agreement introduces consultation triggers tied to import surges or increases in the bilateral trade deficit.

Enforcement Mechanism	
Argentina ART	*Article 6.4: Enforcement and Implementation* *1. If a Party considers that the other Party has not complied with a provision of this Agreement, that Party may review the terms of this Agreement and take action in accordance with its law. Prior to taking an action under paragraph 2, the Party shall, when practicable, seek consultations with the other Party* *2. The Parties shall address matters related to the implementation and operation of this Agreement through the Trade and Investment Council established under the U.S.-Argentina TIFA, including sessions of the Innovation and Creativity Forum for Economic Development. The Parties may also consider further negotiations, as appropriate, through the U.S.-Argentina TIFA.* *3. Nothing in this Agreement shall constrain, or otherwise prevent, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or for other similar reasons consistent with its law.*
Bangladesh ART	*Article 6.4: Enforcement* *1. Nothing in this Agreement shall constrain, or otherwise prevent, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or for other similar reasons consistent with its law.* *2. If the United States considers that Bangladesh has not complied with a provision of this Agreement, the United States shall, when practicable, seek consultations with Bangladesh. If these consultations do not result in a satisfactory outcome, the United States may reimpose the applicable reciprocal tariff rate set forth in Executive Order 14257 of April 2, 2025 on certain or all imports from Bangladesh to address the noncompliance.*
Cambodia ART	*Article 7.3: Enforcement* *If either Party considers that the other Party has not complied with a provision of this*

	Agreement, the Party may review the terms of the Agreement and take action in accordance with applicable domestic law. Prior to taking such action, the Party shall, when practicable, seek consultations with the other Party.
Ecuador ART	*Article 7.4: Enforcement and Implementation* *1. If either Party considers that the other Party has not complied with a provision of this Agreement, the Party may review the terms of the Agreement and take action in accordance with its law. Prior to taking such an action, a Party shall, when practicable, seek consultations with the other Party.* *2. The Parties shall address matters related to the implementation and operation of this Agreement under the United States-Ecuador Trade and Investment Council established under the Agreement between the Government of the United States of America and the Government of the Republic of Ecuador Concerning a United States-Ecuador Council on Trade and Investment.* *3. Nothing in this Agreement shall prevent, or otherwise constrain, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect economic or national security, or for other similar reasons consistent with its law.*
El Salvador ART	*Article 7.5: Enforcement* *1. If either Party considers that the other Party has not complied with a provision of this Agreement, the Party may review the terms of the Agreement and take action in accordance with its law. Prior to taking such an action, a Party shall, when practicable, seek consultations with the other Party.* *2. Nothing in this Agreement shall prevent, or otherwise constrain, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect economic or national security, or for other similar reasons consistent with its law.*
Guatemala ART	*Article 7.5: Enforcement* *1. If either Party considers that the other Party has not complied with a provision of this Agreement, the Party may review the terms of the Agreement and take action in accordance with its law. Prior to taking such an action, a Party shall, when practicable, seek consultations with the other Party.* *2. Nothing in this Agreement shall prevent, or otherwise constrain, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect economic or national security, or for other similar reasons consistent with its law.*
Indonesia ART	*Article 7.3: Enforcement and Implementation* *1. Nothing in this Agreement shall prevent, or otherwise constrain, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or for other similar reasons*

	consistent with its domestic law. *2. If a Party considers that the other Party has not complied with a provision of this Agreement, that Party may review the terms of this Agreement and take action in accordance with its domestic law. 6 A Party shall, when practicable, with a view to finding a mutually satisfactory solution, notify and seek consultations in good faith with the other Party prior to taking any action.* *3. To the extent that a Party experiences: (a) an import surge of goods from the other Party; or (b) an increase in the bilateral trade deficit following implementation of this Agreement, that Party may request consultations with the other Party.*
Jordan ART	*Article 6.4: Enforcement and Implementation* *1. If either Party considers that the other Party has not complied with a provision of this Agreement, that Party may review the terms of the Agreement and take action in accordance with its law. Prior to taking an action under this paragraph, a Party shall, when practicable, seek consultations with the other Party.* *2. Nothing in this Agreement shall constrain, or otherwise prevent, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or to achieve another objective consistent with that Party's law.*
Malaysia ART	*Article 7.4: Enforcement* *1. Nothing in this Agreement shall constrain, or otherwise prevent, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or for other similar reasons consistent with its domestic law.* *2. If a Party considers that the other Party has not complied with a provision of this Agreement, the Party may review the terms of this Agreement and take action in accordance with applicable domestic law. A Party shall, when practicable, with a view to finding a mutually satisfactory solution, notify and seek consultations in good faith with the other Party prior to taking any action.*
Taiwan ART	*Article 7.4: Enforcement* *1. If either Party, through its Designated Representative, considers that the other Party, either on its own or through its Designated Representative, has not complied with a provision of this Agreement, the Party, through its Designated Representative as appropriate, may review the terms of the Agreement and take action in accordance with its law. Prior to taking an action under this paragraph, a Party, through its Designated Representative as appropriate, shall, when practicable, seek consultations with the other Party, through its Designated Representative as appropriate.* *2. Nothing in this Agreement shall constrain, or otherwise prevent, the authorities of the territory represented by a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect economic or national security,*

	or for other similar reasons consistent with the law of the territory represented by the Party.

General Non-Discrimination Provisions

The ARTs contain several provisions aimed at preventing discriminatory treatment of U.S. services and digitally delivered products. While the scope and legal structure vary across agreements, these provisions broadly seek to ensure that U.S. firms are not treated less favorably than domestic or third-country competitors in key segments of the digital economy.

Services Non-Discrimination

Eight of the ten ARTs contain provisions addressing non-discriminatory treatment for U.S. services suppliers and preventing the introduction of new barriers to services, helping ensure U.S. firms are not treated less favorably than domestic or third-country competitors. Indonesia, Cambodia, Argentina, Bangladesh, Taiwan, Ecuador, and Jordan include language preventing measures that disadvantage U.S. services suppliers relative to domestic or other foreign providers, with several effectively incorporating elements of national treatment and most-favored-nation (MFN) treatment into the bilateral relationship.

The strength and structure of these commitments vary. Indonesia, Argentina, Ecuador, and Jordan include the strongest reciprocity-oriented language by committing to address existing services barriers in addition to refraining from introducing new discriminatory measures, while Cambodia and Taiwan focus primarily on preventing new barriers; Bangladesh similarly prohibits discrimination but preserves policy space for measures listed as non-conforming in its other trade agreements. Malaysia takes a different approach by committing to extend to the United States any future services commitments it grants in trade agreements with third countries, except those concluded within ASEAN. Notably, comparable services non-discrimination provisions remain absent from the ARTs with El Salvador and Guatemala.

Services Non-Discrimination	
Argentina ART	*Article 2.7: Services* *Argentina shall address existing services trade barriers that undermine reciprocity. Argentina shall refrain from imposing new barriers that provide less favorable treatment to U.S. services suppliers than the treatment afforded to domestic services suppliers and services suppliers from any third country, jurisdiction, or economy.*
Bangladesh ART	*Article 2.7: Services* *Bangladesh shall not adopt or maintain measures that discriminate against U.S. services or service suppliers as compared to domestic services or services suppliers or those of any third country, jurisdiction, or economy. This Article does not apply to the extent that, in all of Bangladesh's trade agreements, a measure is covered by a relevant non-conforming measure or limitation or Bangladesh is not bound with respect to the measure.*
Cambodia	*Article 2.6: Services*

ART	*Cambodia shall refrain from imposing new barriers that provide less favorable treatment to U.S. services suppliers than the treatment afforded to domestic services suppliers and services suppliers from any third country, jurisdiction, or economy.*
Ecuador ART	*Article 2.7: Services* *Ecuador shall address existing services trade barriers that undermine reciprocity, including as reflected in Articles 2.12 and 2.13 of Annex III. Ecuador shall refrain from imposing new barriers that restrict U.S. services suppliers.*
El Salvador ART	NONE
Guatemala ART	NONE
Indonesia ART	*Article 2.7: Services* *Indonesia shall address existing services trade barriers that undermine reciprocity. Indonesia shall refrain from imposing new barriers that provide less favorable treatment to U.S. services suppliers than the treatment afforded to domestic services suppliers and services suppliers from any third country, jurisdiction, or economy.*
Jordan ART	*Article 2.7: Services* *Jordan shall address existing services trade barriers that undermine reciprocity. Jordan shall refrain from imposing new barriers that provide less favorable treatment to U.S. services suppliers than the treatment afforded to domestic services suppliers and services suppliers from any third country, jurisdiction, or economy.*
Malaysia ART	*Article 2.7: Services* *This Agreement incorporates, mutatis mutandis, any commitment concerning trade in services that Malaysia has made or hereafter makes in a trade agreement to any third country, jurisdiction, or economy. This Article shall not apply to any commitment to the Association of Southeast Asian Nations (ASEAN) under any ASEAN trade or investment agreement.*
Taiwan ART	*Article 3.7: Services and Investment* *TECRO, through its Designated Representative, shall refrain from imposing new barriers that provide less favorable treatment to services suppliers of the territory represented by AIT than the treatment afforded to domestic services suppliers and services suppliers from a territory not represented by a Party, jurisdiction, or economy.*

Digital Non-Discrimination

All ten ARTs contain provisions on facilitating digital trade that include a core commitment to digital non-discrimination, requiring partners to refrain from measures that discriminate against U.S. digital services or products delivered digitally. This language establishes a baseline expectation that U.S. platforms, software, and other digitally delivered offerings will not be treated less favorably than domestic or third-country competitors. The formulation is largely consistent across agreements, with Indonesia, Malaysia, Cambodia, El Salvador, Guatemala, Argentina, Ecuador, and Jordan all committing to refrain from discriminatory measures against U.S. digital services or products distributed digitally. Taiwan adopts a functionally equivalent commitment through the AIT–TECRO framework, while Bangladesh includes similar language but limits it to digital products rather than digital services, slightly narrowing the scope of the obligation. Taken together, these provisions embed a digital non-discrimination principle within broader commitments to facilitate digital trade, helping guard against measures that favor domestic platforms, local content, or third-country providers.

The Strategic Trade and Investment Deal with Korea includes a similar, but non-binding, commitment that the United States and Korea will ensure that U.S. companies are not discriminated against and do not face unnecessary barriers under laws and policies governing digital services. While this language reflects the same underlying objective of preventing discriminatory treatment of U.S. digital providers, it functions as a political commitment rather than a binding obligation, aligning conceptually with the ART provisions but lacking the formal legal structure present in those agreements.

Digital Non-Discrimination	
Argentina ART	*Article 3.2: Facilitation of Digital Trade* *1. Argentina shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or products distributed digitally.*
Bangladesh ART	*Article 3.2: Facilitation of Digital Trade* *1. Bangladesh shall facilitate digital trade with the United States, including by: (a) refraining from measures that discriminate against U.S. digital products;*
Cambodia ART	*Article 3.2: Facilitation of Digital Trade* *Cambodia shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally...*
Ecuador ART	*Article 3.2: Facilitation of Digital Trade* *Ecuador shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally...*
El Salvador ART	*Article 3.2: Facilitation of Digital Trade* *El Salvador shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally...*

Guatemala ART	*Article 3.2: Facilitation of Digital Trade* *Guatemala shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally...*
Indonesia ART	*Article 3.2: Facilitation of Digital Trade* *Indonesia shall facilitate digital trade with the United States, including by: (a) refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally...*
Jordan ART	*Article 3.2: Facilitation of Digital Trade* *Jordan shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. digital products, ensuring the free transfer of data across trusted borders for the conduct of business, and collaborating with the United States to address cybersecurity challenges...*
Malaysia ART	*Article 3.2: Facilitation of Digital Trade* *Malaysia shall facilitate digital trade with the United States, including by— (a) refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally* [3]*...*
Taiwan ART	*4.2: Facilitation of Digital Trade* *TECRO, through its Designated Representative, shall facilitate digital trade with AIT, through its Designated Representative, between the territories represented by the Parties, including by refraining from measures that discriminate against digital services or products distributed digitally of the territory represented by AIT... The Parties, through their Designated Representatives, affirm that the authorities of the territory represented by AIT have no such discriminatory measures in place regarding digital services or products distributed digitally of the territory represented by TECRO.*
Korea Strategic Trade and Investment Deal*	*The United States and Korea commit to ensure that U.S. companies are not discriminated against and do not face unnecessary barriers in terms of laws and policies concerning digital services*

Key Digital Trade Barriers

Across the ARTs, several provisions directly address policy measures that have emerged as significant barriers to digital trade, including discriminatory platform regulation, data localization mandates, restrictions on cross-border data flows, and forced revenue transfers targeting digital services providers. While the scope and strength of these commitments vary

[3] "For greater certainty, Malaysia has the right to regulate in the public interest. [1] The Parties understand that the term "prudential reasons" includes the maintenance of the safety, soundness, and integrity or financial responsibility of individual financial service suppliers as well as the safety and financial and operational integrity of payment and clearing systems."

across agreements, they collectively seek to prevent governments from adopting regulatory frameworks that disproportionately burden foreign digital services suppliers. The following sections map how individual ARTs address these barriers and identify areas where commitments remain uneven or incomplete.

Asymmetric Platform Regulation

A growing push for ex-ante "platform regulation," often advanced without clear evidence of consumer harm, risks functioning as a form of industrial policy that disproportionately targets leading U.S. platforms while constraining legitimate business models and potentially raising prices and reducing consumer choice.

Only one ART includes language directly addressing asymmetric or platform-specific digital regulation. In its ART, Cambodia commits not to introduce a digital competition regime that "unreasonably or unjustifiably restricts U.S. commerce." Although broadly framed, this provision appears intended to guard against regulatory frameworks that disproportionately target large foreign digital platforms through market conduct rules, structural remedies, or platform-specific obligations that could disadvantage U.S. firms. In effect, it functions as a constraint on discriminatory or protectionist digital competition regimes. Notably, however, Cambodia is the only ART partner to include such language.

The Strategic Trade and Investment Deal with Korea also references online platform regulation, with Korea committing to ensuring that U.S. companies are not discriminated against and do not face unnecessary barriers under laws and policies governing digital services, including online platform regulations. However, because this language appears in a non-binding framework instrument rather than an ART, it reflects a policy commitment rather than an enforceable obligation.

Digital Platform Regulation	
Argentina ART	*NONE*
Bangladesh ART	*NONE*
Cambodia ART	*Article 2.1: Digital Competition Regime* *Cambodia shall not introduce a digital competition regime in Cambodia that unreasonably or unjustifiably restricts U.S. commerce.*
Ecuador ART	*NONE*
El Salvador ART	*NONE*
Guatemala ART	*NONE*

Indonesia ART	*NONE*
Jordan ART	*NONE*
Malaysia ART	*NONE*
Taiwan ART	*NONE*
Korea Strategic Trade and Investment Deal*	*The United States and Korea commit to ensure that U.S. companies are not discriminated against and do not face unnecessary barriers in terms of laws and policies concerning digital services, including... online platform regulations.*

Customs-Related Restrictions and Import Barriers for Goods

Across all ten ARTs, the core "goods" commitments are designed to make cross-border shipments for e-commerce and electronics manufacturers faster, more predictable, and less exposed to discretionary delays. Common themes include disciplining import licensing so it cannot be used to restrict U.S. goods (Indonesia, Cambodia, Taiwan, Jordan), advancing digital customs processes such as pre-arrival processing and paperless trade (Indonesia, Malaysia, Cambodia, Argentina, Taiwan, Bangladesh, Ecuador, Jordan), and protecting proprietary data submitted to customs from unauthorized disclosure (Malaysia, Cambodia, El Salvador, Guatemala, Argentina, Taiwan, Indonesia, and Bangladesh). Several ARTs also include express-shipment facilitation tools that matter directly for small parcels and time-sensitive electronics, including immediate release of low-risk shipments, periodic payment programs, and simplified declarations (Malaysia, El Salvador, Guatemala, Argentina, Taiwan, Bangladesh, and Ecuador), while Indonesia adds targeted fixes for consigned-goods returns and liability and strengthens disciplines around advance rulings and pre-arrival processing. Ecuador's commitments align with these trends, requiring full implementation of pre-arrival processing and paperless trade within two years, eliminating pre-shipment inspection requirements, recognizing electronic bills of lading, and introducing operational improvements for express shipments, including periodic payment and streamlined AEO participation.

The agreements differ mainly in how concrete and operational the commitments are, and whether they tackle specific frictions beyond baseline trade facilitation. Indonesia is the most detailed and implementation-driven, pairing broad digitalization obligations with granular commitments on advance rulings, pre-shipment inspection reform on a short timeline, consignment-returns and penalty allocation, protection of tax ID data on manifests, and limits on officer incentive structures. Bangladesh is also unusually operational, committing to implement WCO immediate release guidelines, facilitate post-registration IGM amendments, and strengthen WTO TFA transparency and customs valuation disciplines, in addition to e-bill of lading recognition and data protection. Cambodia phases implementation over five years in light of LDC status and adds a focus on tariff classification uniformity and dispute resolution; Jordan sets a similar five-year horizon but stays high-level, disciplining import licensing and committing to pre-arrival processing, paperless trade, and digitalized procedures without granular express-shipment or data-protection detail; Taiwan ties its approach to the 2024 U.S.–Taiwan trade agreement chapter and sets specific timelines for periodic payment and eCert; Malaysia's express-shipment article is particularly specific on pre-arrival processing and fee discipline while making periodic payment an "endeavor" within five years; and Ecuador combines clear timelines with targeted operational reforms, including elimination of pre-shipment inspection, digitization of customs procedures, and express shipment facilitation measures tied to AEO participation.

Outside the ARTs, the EU and UK texts are softer and process-oriented (consultation or a commitment to negotiate on digitalized procedures), while the India framework is more targeted to market access for electronics by calling out restrictive import licensing for ICT goods and work toward acceptance of U.S. or international standards and testing, but as a forward work program rather than a fully specified customs-operational package.

Customs-Related Restrictions and Import Barriers for Goods	
Argentina ART	*Article 2.12: Customs Administration and Trade Facilitation* *Argentina shall maintain or implement technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.* *Article 1.22: Express Shipments* *1. Argentina intends to implement measures to remove certain limitations on express shipments, such as limits on weight, value, number of items that can be shipped together as a personal shipment, and number of times simplified procedures can be used.* *2. Argentina shall allow express carriers to apply to, and if qualified, enroll in the Authorized Economic Operators (AEO) program.* *3. Argentina shall implement monthly payment for express shipments, according to its laws and regulations.* *Article 1.23: Protection of Proprietary Data* *Argentina shall protect proprietary data submitted by a U.S. trader to Agencia de Recaudación y Control Aduanero (ARCA) from unauthorized disclosure.* *Article 1.24: Paperless Trade and Pre-arrival Processing* *1. Argentina recognizes the importance of facilitating the use of electronic transferrable records, including electronic bills of lading.* *2. For imports of U.S. goods, Argentina shall: (a) allow, including for express shipments, the collection of pre-arrival declaration data; and (b) require all border agencies to conclude their processing of such data prior to arrival to allow for the immediate release of low-risk shipments without transfer to a customs bonded area or warehouse.*

Bangladesh ART	*Article 1.27: Customs and Trade Facilitation* *1. Bangladesh shall not deny the legal effect of a bill of lading issued by a private party to another private party for the carriage of goods solely on the basis that the bill of lading is in electronic format.* *2. Bangladesh shall protect proprietary data submitted to Bangladesh Customs (National Board of Revenue) by U.S. traders from unauthorized disclosure.* *3. For express shipments from the United States, Bangladesh shall implement the World Customs Organization Immediate Release Guidelines such that low-risk packages are released immediately upon arrival without transfer to a customs warehouse.* *4. Bangladesh shall facilitate U.S. carriers or their agents in requesting amendments to their own Import General Manifest (IGM) data after the IGM is registered and facilitate evaluation of those requests by Bangladesh Customs.* *5. Bangladesh shall fully implement Article 1.4 of the WTO Agreement on Trade Facilitation (TFA) on publication and availability of information.* *6. Bangladesh shall submit its national customs valuation legislation and responses to the check-list of issues to the WTO consistent with Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994.*
Cambodia ART	*Article 2.1: Import Licensing and Technical Regulations, Standards, and Conformity Assessment* *1. Cambodia shall not apply import licensing to U.S. goods in a manner that restricts the importation of such goods. Cambodia shall ensure that any non-automatic import licensing that it applies is applied only to administer an underlying measure, and in a manner that is transparent, nondiscriminatory, and not unduly burdensome, and that does not reduce the competitiveness of U.S. exports.* *Article 2.10: Customs and Trade Facilitation* *1. Taking into account Cambodia's status as an LDC, Cambodia shall, within five years of the date of entry into force of this Agreement, implement technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.* *2. Cambodia shall maintain transparency and uniformity in the application of its national tariff nomenclature, including in the application of advance rulings, and improve the mechanism for resolution of disputes regarding the tariff classification of imports.* *Article 1.26: Protection of Proprietary Data* *Cambodia shall protect proprietary data submitted to the customs authority by U.S. traders from unauthorized disclosure.*

Ecuador ART	*Article 2:11: Customs and Trade Facilitation* *Within two years of the date of entry into force of this Agreement, Ecuador shall implement and maintain customs electronic systems and internal regulations that allow for full pre-arrival processing, paperless trade, and digitized procedures for the movement of goods from the United States across its borders.* *Article 2.24: Pre-shipment Inspection* *Ecuador shall eliminate Servicio de Acreditación Ecuatoriano (SAE) Servicio Ecuatoriano de Normalización (INEN) pre-shipment inspection requirements on imports of goods of the United States.* *Article 2.25: Electronic Documents and Systems* *1. Ecuador shall not deny legal effect to a bill of lading issued by a private party to another private party for the carriage of goods solely on the basis that the bill of lading is in electronic format.* *2. Ecuador shall develop a contingency plan for circumstances when Ecuapass has technical issues and is not available online, and shall provide guidance to traders on how to implement the contingency plan.* *Article 2.26: Express Shipments* *1. In cases in which data on the weight of a package has already been provided for a package delivered by an express carrier that is also an Authorized Economic Operator (AEO), Ecuador shall not re-weigh the package.* *2. Ecuador shall allow express carriers to enroll in its Authorized Economic Operators (AEO) program and operate as an AEO within three months of the date of signature of this Agreement.* *3. Ecuador shall not require express shipment packages from the United States to be individually labeled with the Master Airway Bill of the shipment.* *4. Ecuador shall implement periodic payment for express shipments.*
El Salvador ART	*Article 1.27: Periodic Payment and Import Declarations for Express Shipments* *1. El Salvador shall implement periodic payment for express delivery shipments.* *2. El Salvador shall allow express shipments under $200 to be declared together on a single import declaration up to a combined value of $3000.* *Article 1.30: Protection of Proprietary Data* *El Salvador shall protect proprietary data submitted to the Dirección General de Aduanas by U.S. traders from unauthorized disclosure.*
Guatemala	*Article 1.27: Single Window*

ART	*Guatemala shall implement its Single Window for imports by its definitive date notified according to the WTO Agreement on Trade Facilitation. Guatemala's Single Window shall allow for the collection of pre-arrival declaration data, and Guatemala shall require all border agencies to conclude their processing of such data prior to arrival to allow for the immediate release of low risk shipments without transfer to a customs bonded area or warehouse.* *Article 1.29: Protection of Proprietary Data* *Guatemala shall protect proprietary data submitted to the Superintendencia de Administración Tributaria by U.S. traders from unauthorized disclosure.* *Article 1.30: Periodic Payment for Express Shipments* *Guatemala shall implement periodic payment for express delivery shipments*
Indonesia ART	*Article 2.1: Import Licensing* *Indonesia shall not apply import licensing to U.S. goods in a manner that restricts the importation of such goods. Indonesia shall ensure that any non-automatic import licensing that it applies is applied only to administer an underlying measure, and in a manner that is transparent, non-discriminatory, not unduly burdensome, and that does not reduce the competitiveness of U.S. exports.* *Article 2.11: Customs and Trade Facilitation* *Indonesia shall maintain or implement technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.* *Article 2.41: Express Shipments* *1. Indonesia shall allow express shipment carriers to efficiently return shipments to the sender if the shipment is undeliverable due to the application of Regulation PMK 96/2023 on Import or Export of Consigned Goods, as amended or revised.* *2. Indonesia shall ensure that penalties related to shipments covered by PMK 96/2023, as amended or revised, are imposed only on the person(s) responsible for the breach. Where a logistics provider is not responsible for a violation, the logistics provider shall not be subject to penalties, in accordance with Article 6.3 of the WTO Trade Facilitation Agreement.* *Article 2.42: Advance Rulings* *Indonesia shall issue customs agency advance rulings to U.S. persons regardless of whether they are registered in Indonesian government systems and ensure that an advance ruling is respected at all ports of entry.* *Article 2.43: Pre-Shipment Inspection*

	Indonesia shall reform its pre-shipment inspection mechanism to address the concerns of U.S. exporters no later than three months after the date of entry into force of this Agreement, by meeting with USTR every two weeks to ensure that the reform addresses the relevant issues in a timely manner. *Article 2.44: Electronic Collection of Pre-Arrival Declaration Data* *For imports of U.S. goods, Indonesia shall allow for the electronic collection of pre-arrival declaration data and require all border agencies to conclude their processing of such data prior to arrival to allow for the immediate release of low-risk shipments without transfer to a customs bonded area or warehouse.* *Article 2.45: Protection of Proprietary Data* *Indonesia shall protect proprietary data submitted to Indonesia's Directorate General of Customs and Excise of the Ministry of Finance by U.S. traders from unauthorized disclosure, including tax identification information if it is required on a customs manifest or customs declaration. Article* *2.46: Rewards for Customs and Excise Officers* *Indonesia shall ensure that rewards or premiums offered to customs and excise officers are not based on, or calculated as, a percentage or portion of administrative sanctions assessed or proceeds of the auction of goods resulting from a breach of Indonesian law.*
Jordan ART	*Article 1.1: Tariffs* *1. Jordan shall apply a rate of customs duty on an originating good of the United States as set out in the U.S. – Jordan FTA.* *2. The United States shall apply tariff treatment for originating goods of Jordan as set out in Annex I of this Agreement.* *Article 2.1: Import Licensing* *Jordan shall not apply import licensing to U.S. originating goods in a manner that restricts the importation of such goods. Jordan shall ensure that any non-automatic import licensing that it applies is applied only to administer an underlying measure, and in a manner that is transparent, nondiscriminatory, and not unduly burdensome and that does not reduce the competitiveness of U.S. exports.* *Article 2.11: Customs Administration and Trade Facilitation* *Jordan shall maintain or implement technology solutions, within five years of entry into force of this Agreement, that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.*
Malaysia ART	*Article 2.11: Customs and Trade Facilitation*

	Malaysia shall facilitate technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the cross-border movement of goods. *Article 2.31: Express Shipments* *1. For express shipments from the United States, Malaysia shall allow for the electronic submission of pre-arrival declaration data and require all border agencies to conclude their processing of such data prior to arrival, in order to allow for the immediate release of low-risk shipments without transfer to a customs bonded area or warehouse.* *2. Within five years of the date of entry into force of this Agreement, Malaysia shall endeavor to implement periodic payment for express shipments.* *3. Malaysia shall ensure its fees and charges on express shipments are limited to the cost of services rendered and are capped if they are charged on an ad valorem basis.* *Article 2.32: Protection of Proprietary Data Malaysia shall protect from unauthorized disclosure proprietary data submitted by U.S. traders to the Royal Malaysia Customs Department (RMCD).*
Taiwan ART	*Article 3.1: Import Licensing* *TECRO, through its Designated Representative, shall not apply import licensing2 to goods of the territory represented by AIT in a manner that restricts the importation of such goods. TECRO, through its Designated Representative, shall ensure that any non-automatic import licensing that it applies is applied only to administer an underlying measure, and in a manner that is transparent, nondiscriminatory, and not unduly burdensome, and that does not reduce the competitiveness of exports of the territory represented by AIT.* *Article 3.12: Customs and Trade Facilitation* *1. The Parties, through their Designated Representatives, affirm their rights and obligations regarding customs and trade facilitation under Chapter 2 of the Agreement Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States Regarding Trade Between the United States of America and Taiwan, which entered into force on December 10, 2024, and shall maintain or implement technology solutions that allow for paperless trade, digitalized procedures, and full pre-arrival processing for the movement of goods.* *2. TECRO, through its Designated Representative, shall allow express shipments from the territory represented by AIT to benefit from any of the simplified entry procedures that authorities of the territory represented by TECRO make available for express shipments, without being subject to numerical limits.22* *3. TECRO, through its Designated Representative, shall implement periodic payment for express shipments from the territory represented by AIT within two years of the date of entry into force of this Agreement.*

	4. TECRO, through its Designated Representative, shall allow an express carrier carrying express shipments from the territory represented by AIT to declare itself as the holder of such express shipments without requiring a power of attorney to fulfill the relevant import requirements. *5. TECRO, through its Designated Representative, shall establish or maintain a system that receives system-to-system electronic certification data from FSIS for exports of meat, poultry, Siluriformes, and egg products from the territory represented by AIT within three years of the date of entry into force of this Agreement.*
Framework Agreement with the EU*	*The European Union intends to consult with the United States and US traders on digitalisation of trade procedures and implementation of the legislation currently proposed on EU Customs Reform.*
Framework Interim Agreement with India*	*The United States and India will address non-tariff barriers that affect bilateral trade. India agrees to... eliminate restrictive import licensing procedures that delay market access for, or impose quantitative restrictions on, U.S. Information and Communication Technology (ICT) goods...*
UK Economic Prosperity Deal*	*Both countries confirm that they will negotiate provisions on paperless trade, pre-arrival processing, and digitalized procedures for the movement of goods between our countries.*

Barriers to the Deployment and Operation of Network Infrastructure

Subsea cables underpin cross-border digital services, yet growing market access barriers, including routing restrictions, local partnership mandates, cabotage rules, and burdensome permitting, increasingly raise costs, deter investment, and delay maintenance of the networks that carry over 95% of global internet traffic.

Two ARTs contain limited but targeted commitments addressing barriers affecting subsea cable operations, primarily by easing restrictions on foreign vessels involved in installation and repair. Indonesia commits to grant exemptions from its cabotage policy for foreign-flagged vessels installing telecommunications cables, while Malaysia commits to make permanent an existing exemption allowing non-Malaysian ships to conduct submarine cable repairs in its waters. While both provisions aim to facilitate participation by foreign vessels in maintaining global connectivity, they differ in scope: Indonesia focuses on cable installation and includes a national security carveout for vessels linked to “countries of concern,” whereas Malaysia focuses on ensuring continued access for repair vessels.

Barriers to the Deployment and Operation of Network Infrastructure	
Argentina ART	NONE
Bangladesh	NONE

ART	
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	NONE
Guatemala ART	NONE
Indonesia ART	*Article 2.4: Cabotage Policy Exemptions* *Indonesia shall grant exemptions, as is done with oil and gas surveys and drilling, to its cabotage policy for foreign-flagged vessels involved in installing telecommunication cables on or below the sea surface, except with respect to vessels associated with any country of concern.*
Jordan ART	NONE
Malaysia ART	*Article 2.19: Submarine Cable Repair* *Malaysia shall ensure Malaysia's exemption to the Merchant Shipping Ordinance 1952 [Ordinance 70/1952] is permanent, so that non-Malaysian ships are able to conduct submarine cable repairs in Malaysian waters.*
Taiwan ART	NONE

Data and Infrastructure Localization Mandates and Restrictions on Cloud Services

Data localization mandates that require local data storage, infrastructure, and corporate presence create major barriers to cross-border digital trade. While often justified on privacy, security, or law enforcement grounds, these measures are frequently protectionist, designed to exclude foreign competitors and advance domestic tech sectors under the banner of "digital sovereignty."

Three ARTs contain provisions that address this, primarily by preventing requirements that would force data processing to occur domestically or by reducing regulatory barriers to the use of foreign cloud services. Indonesia includes the most direct disciplines, committing to refrain from imposing onshore data-processing requirements, particularly in the financial sector, provided regulators maintain immediate and ongoing access to relevant information, and separately committing not to adopt or maintain rules restricting U.S. insurers from processing or storing data outside Indonesia. El Salvador and Guatemala address the issue primarily through government procurement and cloud certification frameworks. El Salvador commits to allowing data storage in cloud-based systems under its credit history law and to recognizing U.S. cloud services certified under the Federal Risk and Authorization Management Program

(FedRAMP) as equivalent to domestic certification requirements for government procurement. Guatemala includes a similar commitment recognizing FedRAMP certification for procurement purposes, reducing duplicative certification barriers for U.S. providers.

While these provisions share the objective of facilitating cross-border cloud services, they differ in scope. Indonesia's language directly limits data localization requirements in the private sector, whereas the El Salvador and Guatemala provisions focus on public sector procurement rules and certification equivalence. Guatemala's provision also includes an additional reciprocity element by committing to restrict procurement access for suppliers from non–FTA partners in a manner comparable to U.S. procurement restrictions.

Data and Infrastructure Localization Mandates and Restrictions on Cloud Services	
Argentina ART	NONE
Bangladesh ART	NONE
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	*Article 1.18: Data Storage* *El Salvador shall implement the amendment to the Law on the Regulation of Credit History Information Services, allowing data storage in cloud-based systems.* *Article 3.2: Government Procurement* *For the purposes of government procurement, if El Salvador requires cloud service providers to qualify for a certification or standard in order to be awarded a procurement contract, El Salvador shall accept as equivalent to its domestic requirement any U.S. cloud computing service that meets the requirements established in the Federal Risk and Authorization Management Program (FedRamp) or a similar standard.*
Guatemala ART	*Article 3.3: Government Procurement* *1. For the purposes of government procurement, if Guatemala requires cloud service providers to qualify for a certification or standard in order to be awarded a procurement contract, Guatemala shall accept as equivalent to its domestic requirement, any U.S. cloud computing service that meets the requirements established in the Federal Risk and Authorization Management Program (FedRamp).* *2. Guatemala shall take steps to restrict access to central level procurements covered by its free trade agreement commitments for suppliers from non-free trade agreement partners, permitting exceptions as necessary, in a manner comparable to the United States' procurement restrictions.*

Indonesia ART	*Article 2.29: International Payment Networks and Chip Standard* *1. Indonesia shall refrain from imposing requirements to process data onshore, particularly in the financial space, provided the country's authorities have, for regulatory and supervisory purposes, immediate, direct, complete, and ongoing access to the information processed or stored outside Indonesia's territory.* *4. Indonesia shall refrain from adopting or maintaining any rules restricting the ability of U.S. insurers to process or store data outside of Indonesia.*
Jordan ART	NONE
Malaysia ART	NONE
Taiwan ART	NONE

Forced Revenue Transfers for Digital News

A growing number of governments are adopting laws that force U.S. online platforms to pay news publishers for content that publishers themselves allow or actively place on those platforms.

Only one ART addresses this issue. In Article 3.3 of the Indonesia ART, Indonesia commits not to require U.S. digital services providers to support domestic news organizations through mechanisms such as paid licensing, user data sharing, or profit-sharing arrangements, effectively precluding regulatory models that would compel platforms to transfer revenue or commercial value to local media entities as a condition of operating in the market. In effect, the commitment seeks to prevent regulatory frameworks that compel platforms to transfer revenue or commercial value to local media companies as a condition of operating in the market.

Forced Revenue Transfers for Digital News	
Argentina ART	NONE
Bangladesh ART	NONE
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	NONE
Guatemala ART	NONE

Indonesia ART	*Article 3.3: Requirements for Digital Services Providers* *Indonesia shall refrain from requiring U.S. digital services providers (platform services) to support domestic news organizations through paid licenses, user data sharing, and profit-sharing models.*
Jordan ART	NONE
Malaysia ART	NONE
Taiwan ART	NONE

Government-Imposed Restrictions on Internet Content and Related Access Barriers

Governments are increasingly advancing content regulations that impose disproportionate compliance burdens on foreign providers. Many measures go well beyond addressing illegal content, requiring takedowns of lawful speech, generalized monitoring, algorithm disclosure, encryption-breaking mandates, or local employee liability; some even compel the installation of state-approved apps or give domestic platforms preferential treatment, undermining competitive neutrality.

Only one ART directly addresses this issue: the Bangladesh agreement provides that Bangladesh shall incorporate adequate safeguards for the protection of freedom of expression under the Cyber Safety Ordinance 2025 and amend relevant legislation to impose stricter penalties for cybercrimes, signaling an expectation that online safety regulation will include protections against overbroad content controls.

Government-Imposed Restrictions on Internet Content and Related Access Barriers	
Argentina ART	NONE
Bangladesh ART	*2.3. Bangladesh shall incorporate adequate safeguards for the protection of freedom of expression under the Cyber Safety Ordinance 2025, and shall amend relevant legislation to impose stricter penalties for cybercrimes.*
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	NONE
Guatemala ART	NONE

Indonesia ART	NONE
Jordan ART	NONE
Malaysia ART	NONE
Taiwan ART	NONE

Imposing Legacy Telecommunications Rules on Internet-Enabled Services

Applying outdated telecommunications-era rules to modern internet services creates major barriers for U.S. digital exports. A prominent example is "sender-pays" or "network usage fee" proposals, which force content and application providers to pay ISPs for traffic that users themselves request. In parallel, governments are imposing legacy telecom-style rules on OTT and cloud services, treating them like network operators despite operating at the application layer.

None of the ARTs explicitly addresses network usage fees or the broader trend of applying telecommunications-style regulation to internet services. However, related language appears in the EU and Korea framework instruments. The EU text includes the clearest commitment, with the European Union confirming that it will not adopt or maintain network usage fees. The Korea Strategic Trade and Investment Deal takes a broader approach, committing Korea to ensuring that U.S. companies are not discriminated against and do not face unnecessary barriers under laws governing digital services, explicitly referencing network usage fees.

Imposing Legacy Telecommunications Rules on Internet-Enabled Services	
Argentina ART	NONE
Bangladesh ART	NONE
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	NONE
Guatemala ART	NONE
Indonesia ART	NONE

Jordan ART	NONE
Malaysia ART	NONE
Taiwan ART	NONE
Framework Agreement with the EU*	*The United States and the European Union commit to address unjustified digital trade barriers. In that respect, the European Union confirms that it will not adopt or maintain network usage fees.*
Korea Strategic Trade and Investment Deal*	*The United States and Korea commit to ensure that U.S. companies are not discriminated against and do not face unnecessary barriers in terms of laws and policies concerning digital services, including network usage fees...*

Restrictions on Cross-Border Data Flows

The absence of clear and interoperable mechanisms for data transfer, particularly in restrictive data governance regimes, further disadvantages the ability of foreign digital firms to operate effectively in these markets.

Most of the ARTs include commitments aimed at enabling cross-border data transfers for business purposes, helping ensure that firms can move operational and customer data across jurisdictions rather than being forced to process it locally. Cambodia, El Salvador, Guatemala, Indonesia, Malaysia, Taiwan, Ecuador, and Jordan all include similar language committing to ensure the transfer of data across “trusted borders” for the conduct of business. These provisions establish a baseline expectation that governments will allow the international movement of data needed to operate digital services, cloud infrastructure, and other data-driven business models.

Several ARTs go further by introducing specific legal mechanisms that provide certainty for personal data transfers. Indonesia, Argentina, Guatemala, El Salvador, and Ecuador commit to recognizing or endeavoring to recognize the United States as providing “adequate” data protection under their domestic frameworks, allowing personal data to move to the United States without additional transfer restrictions, with Ecuador including a timeline for this determination. Argentina, Bangladesh, El Salvador, and Ecuador also recognize or commit to recognizing the Global Cross-Border Privacy Rules (CBPR) and Privacy Recognition for Processors (PRP) systems as valid transfer mechanisms, aligning their frameworks with interoperable international privacy certifications and helping reduce compliance costs for firms operating across multiple jurisdictions. Bangladesh’s commitment additionally emphasizes stakeholder consultation in the development of its data protection law.

Outside the ARTs, the Korea Strategic Trade and Investment Deal includes a broader political commitment to facilitate cross-border data transfers, including for location, reinsurance, and personal data. However, because this language appears in a non-binding framework instrument rather than an ART, it reflects a shared policy objective rather than a legally enforceable obligation comparable to the commitments contained in the ARTs.

Restrictions on Cross-Border Data Flows	
Argentina ART	*1. Argentina shall provide certainty regarding the ability to move personal data out of its territory to the United States including by recognizing the United States as a country or jurisdiction that provides adequate data protection under Argentina's law.* *2. Argentina shall submit its letter of intent to participate as an Associate in the Global CrossBorder Privacy Rules Forum and to participate in the Global Cooperation Arrangement for Privacy Enforcement.*
Bangladesh ART	*1. Bangladesh shall recognize the Global Cross-Border Privacy Rules (CBPR) System and Global Privacy Recognition for Processors (PRP) System certifications as valid mechanisms under its legal framework to transfer data across borders while protecting personal information and reducing compliance costs.* *2. Bangladesh shall increase stakeholder consultations and shall ensure that feedback from both the U.S. government and U.S. private sector actors is duly considered during the formulation and revision of the Personal Data Protection Ordinance (PDPO).*
Cambodia ART	*Article 3.2: Facilitation of Digital Trade* *Cambodia shall facilitate digital trade with the United States, including by ensuring the free transfer of data across trusted borders for the conduct of business.*
Ecuador ART	*Article 3.2: Facilitation of Digital Trade* *Ecuador shall facilitate digital trade with the United States, including by... ensuring the free transfer of data across trusted borders for the conduct of business.* *Article 3.1: Data Transfers* *1. Ecuador shall provide certainty regarding the ability to move personal data outside of its territory to the United States and shall endeavor to recognize the United States as a country or jurisdiction that provides adequate data protection under its legal framework by December 31, 2026.* *2. Ecuador shall endeavor to recognize international certifications, such as the Global Cross Border Privacy Rules (CBPR) System and Global Privacy Recognition for Processors (PRP) System, as valid mechanisms under Ecuador's legal framework for transferring personal data across borders, while protecting personal information and reducing compliance costs.*
El Salvador ART	*Article 3.2: Facilitation of Digital Trade* *El Salvador shall facilitate digital trade with the United States, including by... ensuring the free transfer of data across trusted borders for the conduct of business.* *Article 2.1: Data Transfers* *1. El Salvador shall consider the United States as a country that has an adequate*

	data protection standard for the purpose of transferring personal data across borders under its law. *2. El Salvador shall consider the Global Cross-Border Privacy Rules (CBPR) System and Global Privacy Recognition for Processors (PRP) System certifications as valid mechanisms under El Salvador's law to transfer data across borders while protecting personal information and reducing compliance costs.*
Guatemala ART	*Article 3.2: Facilitation of Digital Trade* *Guatemala shall facilitate digital trade with the United States, including by... ensuring the free transfer of data across trusted borders for the conduct of business, and collaborating with the United States to address cybersecurity challenges.* *Article 2.1: Data Transfers* *Guatemala shall provide certainty regarding the ability to move personal data out of its territory to the United States, including by recognizing the United States as a country or jurisdiction that provides adequate data protection under Guatemala's law.*
Indonesia ART	*Article 3.2: Facilitation of Digital Trade* *Indonesia shall facilitate digital trade with the United States, including by: (b) ensuring the transfer of data by electronic means across trusted borders with appropriate protection for the conduct of business* *Article 3.2: Data Transfers* *Indonesia shall provide certainty regarding the ability to move personal data out of its territory to the United States by recognizing the United States as a country or jurisdiction that provides adequate data protection under Indonesia's law.*
Jordan ART	*Article 3.2: Facilitation of Digital Trade* *1. Jordan shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. digital products, ensuring the free transfer of data across trusted borders for the conduct of business, and collaborating with the United States to address cybersecurity challenges.* *2. If Jordan enters into a new digital trade agreement with a country that jeopardizes essential U.S. interests, the United States may terminate this Agreement.*
Malaysia ART	*Article 3.2: Facilitation of Digital Trade* *Malaysia shall facilitate digital trade with the United States, including by— (b) ensuring the cross-border transfer of data by electronic means across trusted borders, with appropriate protections, for the conduct of business*
Taiwan ART	*Article 4.2: Facilitation of Digital Trade*

	TECRO, through its Designated Representative, shall facilitate digital trade with AIT, through its Designated Representative, between the territories represented by the Parties, including by... ensuring the free transfer of data across trusted borders for the conduct of business.
Korea Strategic Trade and Investment Deal*	*The United States and Korea commit to ensure that U.S. companies are not discriminated against and do not face unnecessary barriers in terms of laws and policies concerning digital services... and to facilitate cross-border transfer of data, including for location, reinsurance, and personal data.*

Taxation of Digital Products and Services

Digital Services Taxes

A growing number of jurisdictions are advancing unilateral digital services taxes (DSTs) that overwhelmingly target U.S. companies and distort global trade, and many of which are discriminatory by design.

All ten ARTs include provisions addressing DSTs, with commitments not to impose DSTs, or similar taxes, that discriminate against U.S. companies "in law or in fact." This formulation establishes a baseline non-discrimination principle, intended to prevent tax regimes that single out large foreign digital firms through revenue thresholds, scope definitions, or other design features that effectively target U.S. platforms. The commitments are highly consistent across the agreements. In practice, these provisions do not prohibit digital taxation outright but instead seek to ensure that any taxes applied to digital services are neutral and do not disproportionately target U.S. firms.

Digital Services Taxes	
Argentina ART	*Article 3.1: Digital Services Tax* *Argentina shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Bangladesh ART	*Article 3.1: Digital Services Tax* *Bangladesh shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Cambodia ART	*Article 3.1: Digital Services Taxes* *Cambodia shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies, in law or in fact.*
El Salvador ART	*Article 3.1: Digital Services Taxes* *El Salvador shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*

Ecuador ART	*Article 3.1: Digital Services Taxes* *Ecuador shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Guatemala ART	*Article 3.1: Digital Services Taxes* *Guatemala shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Indonesia ART	*Article 3.1: Digital Services Taxes* *Indonesia shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Jordan ART	*Article 3.1: Digital Services Tax* *Jordan shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Malaysia ART	*Article 3.1: Digital Services Tax* *Malaysia shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.*
Taiwan ART	*Article 4.1: Digital Services Taxes* *TECRO, through its Designated Representative, shall not impose digital services taxes, or similar taxes that discriminate against enterprises of the territory represented by AIT in law or in fact.*

Customs Duties on Electronic Transmissions

Several countries have sought to impose customs duties on electronic transmissions, which would reverse more than two decades of WTO-backed liberalization. Such tariffs would create significant compliance burdens, especially for SMEs, because origin, value, and destination data are often unknowable for cloud-based services.

All ten ARTs include commitments prohibiting customs duties on electronic transmissions. Argentina, Bangladesh, Cambodia, Guatemala, Indonesia, Malaysia, Taiwan, Ecuador, and Jordan all commit not to impose customs duties on electronic transmissions, including digitally delivered content, and to support the adoption of a permanent multilateral moratorium on such duties at the WTO. El Salvador incorporates the same commitment through its obligations under CAFTA-DR. Together, these provisions extend the WTO's temporary moratorium into bilateral commitments, helping ensure that software, digital media, cloud-delivered products, and other electronically transmitted services remain tariff-free.

While the core obligation is highly consistent across the ARTs, several agreements include additional clarifications. Indonesia and Malaysia specify that the prohibition on tariffs does not prevent the application of internal taxes or fees on electronic transmissions, provided they are applied in a manner consistent with WTO non-discrimination rules. Indonesia also goes further by committing to eliminate existing tariff lines on "intangible products" and suspend customs declaration requirements for electronic transmissions, addressing a regulatory approach that has emerged in some jurisdictions attempting to classify digital products for tariff purposes.

Outside the ARTs, the EU and Korea framework instruments include similar language supporting the WTO moratorium on customs duties on electronic transmissions.

Customs Duties on Electronic Transmissions	
Argentina ART	*Article 3.3: Customs Duties on Electronic Transmissions* *The Parties shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the World Trade Organization immediately and without conditions.*
Bangladesh ART	*Article 3.3: Customs Duties on Electronic Transmissions* *Bangladesh shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO.*
Cambodia ART	*Article 3.5: Customs Duties on Electronic Transmissions* *Cambodia shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall immediately and unconditionally support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO.*
Ecuador ART	*3.4: Customs Duties on Electronic Transmissions* *Ecuador shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall continue to support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO.*
El Salvador ART	*Article 3.4: Customs Duties on Electronic Transmissions* *El Salvador shall not impose customs duties on electronic transmissions, including content transmitted electronically, as set out in Chapter 14 (Electronic Commerce) of the CAFTA-DR. The Parties shall support a permanent multilateral moratorium on customs duties on electronic transmissions.*
Guatemala ART	*Article 3.5: Customs Duties on Electronic Transmissions* *Guatemala shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO immediately and without conditions.*
Indonesia	*Article 3.5: Customs Duties on Electronic Transmissions*

ART	*Indonesia shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO immediately and without conditions. For greater certainty, this Article shall not preclude Indonesia from imposing internal taxes, fees, or other changes on electronic transmissions in a manner not inconsistent with Articles I and III of the GATT 1994 or Articles II and XVII of the WTO General Agreement on Trade in Services.* *Article 3.1: Intangible Products and Electronic Transmissions* *Indonesia shall eliminate its existing tariff lines on "intangible products" and suspend the requirement that importers file import declarations with Indonesian customs authorities for their electronic transmissions.*
Jordan ART	*Article 3.3: Customs Duties on Electronic Transmissions* *Jordan shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO immediately and without conditions.*
Malaysia ART	*Article 3.5: Customs Duties on Electronic Transmissions* *Each Party shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO. For greater certainty, this Article does not preclude a Party from imposing internal taxes, fees, or other charges on electronic transmissions, including content transmitted electronically, provided that those taxes, fees, or charges are imposed in a manner consistent with Articles I and III of the GATT 1994 or Articles II and XVII of the WTO General Agreement on Trade in Services (GATS).*
Taiwan ART	*Article 4.5: Customs Duties on Electronic Transmissions* *The Parties, through their Designated Representatives, shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO immediately and without conditions.*
Framework Agreement with the EU*	*The United States and the European Union intend to continue to support the multilateral moratorium on customs duties on electronic transmissions at the World Trade Organization and seek the adoption of a permanent multilateral commitment.*
Korea Strategic Trade and Investment Deal*	*Further, the United States and Korea will support the permanent moratorium on customs duties on electronic transmissions at the World Trade Organization.*

Threats to the Security of Devices and Services

Many governments, often citing national security or law enforcement, are pursuing or enacting laws that undermine end-to-end encryption. These mandates create legal and technical uncertainty, forcing companies to modify global platforms, build region-specific products, or face severe penalties.

Only one ART addresses this issue. The Bangladesh agreement commits the government to amend or repeal the 2021 Regulation for Digital, Social Media, and OTT Platforms to remove requirements for traceability in end-to-end encrypted services and mandates that service providers disclose encryption keys to authorities. In practice, this commitment seeks to prevent regulatory mandates that would weaken encryption or require platforms to redesign secure services in ways that could undermine user privacy and cybersecurity.

Threats to the Security of Devices and Services	
Argentina ART	NONE
Bangladesh ART	*4. Bangladesh will amend or repeal the 2021 Regulation for Digital, Social Media, and Over the Top (OTT) Platforms to remove requirements for traceability within end-to-end encrypted services and for service suppliers to disclose encryption keys to government authorities and incorporate freedom of expression protections.*
Cambodia ART	NONE
Ecuador ART	NONE
El Salvador ART	NONE
Guatemala ART	NONE
Indonesia ART	NONE
Jordan ART	NONE
Malaysia ART	NONE
Taiwan ART	NONE

Source Code Disclosure

Across the ARTs, these provisions prohibit governments from requiring U.S. companies to transfer source code, algorithms, or other proprietary technologies as a condition for doing business. In practice, they function as technology transfer safeguards, preventing regulators from using licensing, certification, or market entry requirements to compel disclosure of sensitive intellectual property or to force firms to adopt preferred local technologies. For digital service providers, cloud operators, and software developers, these commitments help protect core assets such as algorithms, production processes, and platform architecture from being exposed to regulators or competitors.

The provisions are highly consistent across the agreements. Indonesia, Malaysia, Cambodia, El Salvador, Guatemala, Argentina, Bangladesh, Taiwan, Ecuador, and Jordan all prohibit mandatory technology or source-code transfer as a condition of market access while allowing regulators to request access to source code in specific investigations or enforcement proceedings, provided safeguards exist against unauthorized disclosure. Most agreements also exclude government procurement from the obligation, preserving policy space for public-sector purchasing rules. Malaysia and Bangladesh include the most detailed carve-outs, clarifying that the provision does not prevent voluntary contractual arrangements involving source code or regulatory access necessary for critical infrastructure or prudential supervision.

At the same time, the provisions do not prohibit all forms of government access to software or algorithms, and they vary in how much regulatory flexibility they preserve. Across all of the agreements, regulators and courts retain the ability to require firms to preserve and provide source code or algorithms for specific investigations, inspections, enforcement actions, or judicial proceedings, subject to safeguards against unauthorized disclosure. Most also exclude government procurement from the obligation, preserving policy space for public-sector purchasing rules. Argentina, Indonesia, and Ecuador follow a relatively standard model: a clear prohibition on forced technology transfer tied to market entry, paired with carveouts for procurement and case-specific regulatory review. Jordan follows the same basic model but, unlike most agreements, does not include an explicit government-procurement carve-out. Cambodia, El Salvador, Guatemala, and Taiwan adopt a similar structure, focusing primarily on preventing compelled disclosure as a condition of doing business while allowing investigative access when necessary. Other agreements include broader regulatory exceptions. Malaysia provides the most expansive carveouts, clarifying that the provision does not prevent governments from requiring access to software used in critical infrastructure, modifications needed for compliance with domestic laws consistent with the agreement, or measures adopted for prudential regulatory purposes, in addition to preserving voluntary commercial arrangements involving source code. Bangladesh similarly clarifies that voluntary contractual arrangements involving technology or source code are permitted and frames the prohibition as applying to involuntary transfers tied to commercial activities, slightly narrowing the scope of the obligation.

Prohibition of Mandatory Source Code Disclosure	
Argentina ART	*Article 3.2: Facilitation of Digital Trade* *2. Argentina shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory.5 This paragraph does not preclude a regulatory body or judicial authority of a Party from requiring a person of the other Party to preserve and make*

	available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure. 5 This paragraph does not apply to government procurement
Bangladesh ART	*Article 3.4: Market Entry Conditions* *1. Bangladesh shall not impose any condition or enforce any undertaking requiring U.S. persons engaged in commercial activities to involuntarily transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory.* *2. Nothing in this Article shall: (a) apply to government procurement; (b) preclude the inclusion or implementation of terms and conditions related to the provision of source code in commercially negotiated contracts; or (c) preclude a regulatory body or judicial authority of a Party from requiring a person of another Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Cambodia ART	*Article 3.4: Market Entry Conditions* *Cambodia shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This article does not preclude a regulatory body or judicial authority of Cambodia from requiring a person of the United States to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body or judicial authority for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Ecuador ART	*Article 3.3: Market Entry Conditions* *Ecuador shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This paragraph does not preclude a regulatory body or judicial authority of Ecuador from requiring a person of the United States to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure. [For greater certainty, this paragraph shall not apply to government procurement.]*
El Salvador	*Article 3.3: Market Entry Conditions*

ART	*El Salvador shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This paragraph does not preclude a regulatory body or judicial authority of El Salvador from requiring a person of the United States to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Guatemala ART	*Article 3.4: Market Entry Conditions* *Guatemala shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This article does not preclude a regulatory body or judicial authority of Guatemala from requiring a person of the United States to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Indonesia ART	*1. Indonesia shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This Article shall not apply to government procurement.* *2. This Article does not preclude a regulatory body or judicial authority of a Party from requiring a person of another Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Jordan ART	*Article 3.2: Facilitation of Digital Trade* *3. Jordan shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This paragraph does not preclude a regulatory body or judicial authority of a Party from requiring a person of another Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.*
Malaysia ART	*Article 3.4: Market Entry Conditions*

	1. Malaysia shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. *2. Nothing in this Article shall— (a) preclude the inclusion or implementation of terms and conditions related to the provision of source code in commercially negotiated contracts; (b) preclude a Party from requiring that access be provided to software used for critical infrastructure, to the extent required to ensure the effective functioning of critical infrastructure, subject to safeguards against unauthorized disclosure; (c) preclude a Party from requiring the modification of source code of software necessary for that software to comply with laws or regulations which are not inconsistent with this Agreement; (d) apply to government procurement; (e) preclude a regulatory body or judicial authority of a Party from requiring a person of another Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure; or (f) apply to a Party's measures adopted or maintained for prudential reasons.[8]*
Taiwan ART	*Article 4.4: Market Entry Conditions* *TECRO, through its Designated Representative, shall not impose any condition or enforce any undertaking requiring persons of the territory represented by AIT to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in the territory it represents. This Article does not preclude a regulatory body or judicial authority of the territory represented by a Party from requiring a person of the territory represented by the other Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure. The Parties, through their Designated Representatives, affirm that the authorities of the territory represented by AIT have no such measures in place regarding persons of the territory represented by TECRO.*

Other

Outside of the above, general categories of non-tariff barriers to digital trade, some of the ARTs contain discrete provisions addressing specific digital trade challenges.

Indonesia's ART includes a provision addressing local content and domestic specification requirements, policies that often require companies to use locally produced inputs, adopt domestic technical standards, or conduct certain processing activities within the country as a condition of market access. By exempting U.S. companies and goods from local content rules and removing forced domestic specification and processing requirements, the commitment seeks to prevent industrial policies that disadvantage foreign technology providers or force firms to redesign products and supply chains around local standards or manufacturing. For companies that rely on globally integrated hardware, cloud, and digital supply chains, the provision helps reduce risks that governments will mandate the use of local components, domestic technical specifications, or in-country processing that could increase costs, fragment product design, or limit the deployment of standardized global technologies.

Indonesia: Local Content Requirement Prohibition	
Indonesia ART	*Article 2.2: Local Content and Domestic Specification Requirements* *1. Indonesia shall exempt U.S. companies and U.S. goods from local content requirements.* *2. Indonesia shall remove forced domestic specification usage and processing requirements.*

Malaysia's ART includes a provision addressing revenue-based operating requirements imposed on digital platforms and cloud providers, which can function as market entry barriers for foreign digital services. The agreement requires Malaysia to remove the requirement that U.S. social media platforms and cloud providers contribute six percent of locally generated revenue to a domestic fund as a condition of operating in the market. It also commits Malaysia to administer regulations governing these services in a transparent, impartial, and non-discriminatory manner consistent with due process, helping reduce the risk that licensing, compliance, or enforcement decisions are used to disadvantage foreign providers.

Malaysia: Regulation of Social Media Platforms and Cloud Providers	
Malaysia ART	*Article 3.1: Regulation of Social Media Platforms and Cloud Providers* *1. Malaysia shall remove the requirement for U.S. social media platforms and cloud providers to contribute six percent of their revenue generated in Malaysia to a domestic fund in order to operate in Malaysia.* *2. Malaysia shall administer its domestic laws and regulations for social media platforms and cloud providers in a transparent, impartial, and non-discriminatory manner, and in accordance with the principles of due process.*

Malaysia's ART also addresses government mandates affecting internet infrastructure and routing practices. Under this provision, Malaysia commits to repeal or permanently suspend a directive requiring all domain name system (DNS) traffic to be routed through local DNS services. Such mandates can undermine the efficiency, reliability, and security of global internet operations by forcing companies to reconfigure network architecture or rely on domestic infrastructure. By removing this requirement, the commitment helps preserve the ability of digital service providers to use globally distributed DNS systems that support secure and efficient delivery of online services.

Malaysia: DNS Traffic

Malaysia ART	*Article 3.2: Domain Name System (DNS) Traffic* *Malaysia shall repeal or permanently suspend the directive redirecting all DNS traffic to local DNS services.*

Other Provisions of Note

In addition to the core digital trade disciplines outlined above, several ARTs include provisions addressing related regulatory measures that can affect the market access and deployment of digital technologies. These commitments target issues such as technical standards, conformity assessment procedures, and other regulatory requirements that can function as non-tariff barriers when applied in a discriminatory or duplicative manner. While more sector-specific than the broader digital trade provisions, they help reduce compliance burdens and regulatory fragmentation affecting digital trade.

Technical Standards

Multiple ARTs include provisions addressing technical regulations, standards, and conformity assessment procedures, which can function as non-tariff barriers when governments require duplicative testing, certification, or local approval processes for imported products. Across the ARTs, partners commit to allow U.S. goods that comply with applicable U.S. or international standards and conformity assessment procedures to enter their markets without additional testing or certification requirements. The agreements also require that conformity assessment bodies from the United States receive treatment no less favorable than domestic bodies and that technical regulations be applied in a non-discriminatory manner that does not operate as a disguised restriction on trade, helping reduce delays and costs associated with duplicative compliance processes.

The provisions are broadly consistent across the agreements but vary in operational detail. Indonesia and Malaysia include particularly explicit language requiring the acceptance of U.S. compliance procedures and addressing duplicative testing requirements, with Indonesia also adding a specific commitment allowing accredited U.S. bodies to conduct testing and certification for ICT goods. Argentina, Cambodia, Bangladesh, Taiwan, Ecuador, and Jordan adopt similar frameworks recognizing U.S. or international standards and facilitating acceptance of U.S. conformity assessment procedures, with Ecuador going further by explicitly requiring acceptance of test reports from internationally accredited bodies and supplier declarations of conformity, and Taiwan emphasizing acceptance of test reports from internationally accredited bodies and establishing mechanisms to expand recognition sector-by-sector, while Jordan expressly commits to remove duplicative or unnecessary testing requirements and to accord U.S. conformity assessment bodies treatment no less favorable than its own. El Salvador frames its commitments through CAFTA-DR and WTO TBT disciplines but similarly commits to removing unnecessary testing requirements, while Guatemala focuses primarily on ensuring that technical regulations do not operate as disguised trade restrictions.

Outside the ARTs, the EU, India, and UK framework texts address similar issues through cooperation and future negotiations rather than binding operational commitments. The EU text focuses on strengthening technical cooperation between U.S. and EU standards bodies and expanding mutual recognition of conformity assessment, including for telecommunications equipment and potential cybersecurity standards. The India framework commits to address non-tariff barriers affecting ICT goods and to evaluate the acceptance of U.S. or international standards and testing requirements for U.S. exports. The UK agreement similarly emphasizes non-discriminatory treatment of conformity assessment bodies and the expansion of mutual recognition agreements, signaling a shared objective of reducing duplicative testing and certification, though primarily through future regulatory cooperation rather than immediate disciplines.

These disciplines are particularly relevant for digital goods and AI-enabled technologies, where fragmented technical standards, duplicative testing requirements, and local certification mandates can delay or block market entry. By encouraging acceptance of international standards and mutual recognition of conformity assessment procedures, these provisions can help facilitate the cross-border deployment of AI-enabled hardware, cloud infrastructure, and connected devices, while reducing regulatory fragmentation that could otherwise slow the adoption of emerging digital technologies.

Technical Standards	
Argentina ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. Argentina shall allow U.S. originating goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In doing so: (a) Argentina shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies; and (b) Argentina shall facilitate the acceptance of U.S. compliance procedures for goods that are not subject to third-party conformity assessment in the U.S. regulatory framework.* *2. Argentina shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.*
Bangladesh ART	*1. Bangladesh shall allow U.S. originating goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements where certification is provided by governmental or internationally accredited laboratories. In doing so: (a) Bangladesh shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies; and (b) Bangladesh shall facilitate the acceptance of U.S. compliance procedures for goods which are not subject to third-party conformity assessment in the U.S. regulatory framework.* *2. Bangladesh shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, if any, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.*

Cambodia ART	*2. Cambodia shall allow U.S. goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In addition: (a) Cambodia shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies. (b) Cambodia shall facilitate the acceptance of U.S. compliance procedures for goods that are not subject to third-party conformity assessment in the U.S. regulatory framework.* *3. Cambodia shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity including requirements for duplicative or unnecessary testing or conformity assessment.*
Ecuador ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. Ecuador shall allow U.S. originating goods that comply with applicable U.S. standards and technical regulations that are aligned with international standards, for which determination criteria are based on the TBT Committee Decision on International Standards,2 3 4 or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In doing so, Ecuador shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies, and shall:7 (a) accept test reports or certificates issued by conformity assessment bodies accredited by accreditation bodies that are signatories to mutual recognition arrangements; or (b) accept a supplier's declaration of conformity for products sold in the United States subject to U.S. post-market surveillance.* *2. Ecuador shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity including requirements for duplicative or unnecessary testing or conformity assessment.*
El Salvador ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. El Salvador reaffirms its commitments to the use of international standards, described in Article 7.3 of the CAFTA-DR (International Standards). El Salvador shall apply no additional principles or criteria other than those in the TBT Committee Decision on International Standards in order to recognize a standard as an international standard. For greater certainty, criteria that are not relevant to determining whether a standard is an international standard include: (a) the domicile of the standards body; (b) whether the standards body is non-governmental or inter-governmental; and (c) whether the standards body limits participation to delegations.* *2. El Salvador shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies.* *3. El Salvador shall facilitate the acceptance of U.S. compliance procedures for*

	goods which are not subject to third-party conformity assessment in the U.S. regulatory framework. *4. El Salvador shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade and shall remove existing technical barriers to trade in areas that undermine reciprocity including requirements for duplicative or unnecessary testing or conformity assessment.*
Guatemala ART	*3. Guatemala shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.*
Indonesia ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. The Parties recognize their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Agreement on Technical Barriers to Trade (TBT Agreement). Indonesia shall allow U.S. goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In doing so: (a) Indonesia shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies; and (b) Indonesia shall facilitate the acceptance of U.S. compliance procedures for goods that are not subject to third-party conformity assessment in the U.S. regulatory framework.* *2. Indonesia shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.* *Article 2.3: Testing and Certification Procedures* *1. Indonesia shall allow testing and certification for information communications technologies (ICT) goods to be completed by accredited U.S. conformity assessment bodies and address redundance and costs from product compliance certification requirements.*
Jordan ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. Jordan shall allow U.S. originating goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In doing so:* *(a) Jordan shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies.*

	(b) Jordan shall facilitate the acceptance of U.S. compliance procedures for goods which are not subject to third-party conformity assessment in the U.S. regulatory framework. *2. Jordan shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment requirements.*
Malaysia ART	*Article 2.2: Technical Regulations, Standards, and Conformity Assessment* *1. The Parties recognize their existing rights and obligations with respect to each other under the World Trade Organization (WTO) Agreement on Technical Barriers to Trade. Malaysia shall allow U.S. originating goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements. In doing so—(a) Malaysia shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies; and (b) Malaysia shall facilitate the acceptance of U.S. compliance procedures for goods that are not subject to third-party conformity assessment in the U.S. regulatory framework.* *2. Malaysia shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.*
Taiwan ART	*1. TECRO, through its Designated Representative, shall allow originating goods of the territory represented by AIT that comply with applicable standards, technical regulations, or conformity assessment procedures of the territory represented by AIT that are aligned with international standards, for which determination criteria are based on the Technical Barriers to Trade (TBT) Committee Decision on International Standards, 3 , 4 or international conformity assessment procedures to enter the territory it represents without additional conformity assessment requirements. In doing so, TECRO, through its Designated Representative, shall: (a) accord to conformity assessment bodies of the territory represented by AIT treatment no less favorable than that it accords to bodies of the territory it represents; (b) accept test reports or certificates issued by conformity assessment bodies accredited by accreditation bodies that are signatories to mutual recognition arrangements; and (c) facilitate the acceptance of compliance procedures of the territory represented by AIT for automobiles and certain electronics which are not subject to third-party conformity assessment in the regulatory framework of the authorities of the territory represented by AIT, and establish a mechanism to discuss the acceptance of other goods on a sector-by-sector basis.* *2. TECRO, through its Designated Representative, shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral*

	trade, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.
Framework Agreement with the EU*	*The European Union and United States commit to enhance opportunities for technical cooperation between EU- and US-domiciled standards development organisations with the objective of identifying and developing standards for the transatlantic marketplace in key sectors of mutual interest.* *The European Union reaffirms that US conformity assessment bodies can be designated as Notified Bodies in accordance with the Sectoral Annex for Telecommunications Equipment to the Agreement on Mutual Recognition Between the European Community and the United States (1998) to carry out the tasks in relation to all essential requirements, including cybersecurity, in the Radio Equipment Directive 2014/53/EU. In addition, the United States and the European Union will commit to negotiate a mutual recognition agreement on cybersecurity*
Framework Interim Agreement with India*	*The United States and India will address non-tariff barriers that affect bilateral trade. India agrees to... determine, with a view towards a positive outcome, within six months of entry into force of the Agreement whether U.S.-developed or international standards, including testing requirements, are acceptable for the purposes of U.S. exports entering the Indian market in identified sectors.*
UK Economic Prosperity Deal*	*(b) The United Kingdom and the United States each confirms its intent to accord to conformity assessment bodies of the other treatment no less favorable than that it accords to conformity assessment bodies located in its own territory. Treatment under this paragraph includes procedures, criteria, fees, and other conditions relating to accrediting, approving, licensing, or otherwise recognizing conformity assessment bodies.* *(c) Both countries intend to build on an existing set of Mutual Recognition Agreements (MRAs) by negotiating additional agreements, as appropriate, across certain industrial goods and advance toward an agreement on services domestic regulation.* *(d) The United Kingdom and United States intend to discuss the principles and criteria used in order to recognize a standard as an international standard. The United Kingdom and the United States will further commit to discuss respective applicable standards for mutually agreed sectors of interest and, within those specified sectors, to agree which of the other's relevant domiciled standards development organizations (SDOs) currently meet recognized international principles.*

Good Regulatory Practices

Multiple ARTs include good regulatory practices (GRP) provisions aimed at improving transparency, predictability, and stakeholder participation in the development of laws and regulations that affect trade. Across the agreements, governments commit to publish laws and proposed regulations online, provide advance notice of planned regulatory actions, conduct public consultations, and consider comments from interested stakeholders, including foreign firms. They also commit to rely on evidence-based policymaking, regulatory impact assessments, and periodic reviews of existing regulations, while supporting the use of international standards to reduce unnecessary obstacles to trade. These disciplines matter for digital trade because many barriers arise not from tariffs but from opaque or rapidly changing regulatory regimes, and GRP provisions help ensure that new digital, technology, and platform regulations are developed through transparent and consultative processes.

While the provisions are broadly consistent across the ARTs, they vary slightly in structure and implementation timelines. Indonesia, Malaysia, Cambodia, El Salvador, Guatemala, Argentina, Bangladesh, and Jordan all incorporate detailed GRP frameworks requiring transparency, public consultation, and regulatory impact analysis, though Argentina allows a three-year implementation period for certain consultation and notice requirements. Malaysia and Cambodia include particularly explicit language on regulatory cooperation and the use of international standards to avoid trade barriers. Taiwan and Ecuador take a different approach by incorporating GRP obligations through existing bilateral frameworks rather than restating the full disciplines in the ART text, relying instead on prior agreements to anchor transparency and rulemaking commitments. Overall, the provisions establish a common baseline for transparent and evidence-based rulemaking, which can help mitigate the risk that future digital regulations are introduced in ways that unexpectedly disadvantage foreign technology providers.

Good Regulatory Practices	
Argentina ART	*Article 2.8: Good Regulatory Practices* *Argentina shall adopt and implement good regulatory practices that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.11: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Argentina shall: (a) ensure that laws, regulations,10 procedures, and administrative rulings are promptly published and made easily accessible online; (b) under normal circumstances,11 publish and make easily accessible online the text of proposed regulations, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) under normal circumstances, conduct public consultations for proposed regulations in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulations and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible*

	impacts of regulations, which could also include alternative approaches to regulation, where appropriate. 2. Notwithstanding Article 6.7 (Entry Into Force) of the Agreement, Argentina shall implement its obligations with respect to subparagraphs (b) through (d) within three (3) years of the date of entry into force of this Agreement.
Bangladesh ART	*Article 2.8: Good Regulatory Practices* *Bangladesh shall adopt and implement good regulatory practices as set out in Article 1.17 of Annex III that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.17: Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Bangladesh shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate*
Cambodia ART	*Article 2.7: Good Regulatory Practices* *Cambodia shall adopt and implement good regulatory practices contained in Article 1.14 of Annex III that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.14: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Cambodia shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested*

	persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.
Ecuador ART	*Article 2.8: Good Regulatory Practices* *Ecuador shall continue to implement good regulatory practices consistent with Annex II of the Protocol to the Trade and Investment Council Agreement Between the Government of the United States of America and the Government of the Republic of Ecuador Relating to Trade Rules and Transparency.*
El Salvador ART	*Article 2.6: Good Regulatory Practices* *El Salvador shall continue to adopt and implement good regulatory practices, as set out in Article 1.19 of Annex III, that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.19: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, the El Salvador shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.*
Guatemala	*Article 2.6: Good Regulatory Practices*

ART	*Guatemala shall adopt and implement good regulatory practices that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.16: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Guatemala shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.*
Indonesia ART	*Article 2.8: Good Regulatory Practices* *Indonesia shall adopt and implement good regulatory practices that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 2.31: Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Indonesia shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify*

	modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.
Jordan ART	*Article 2.8: Good Regulatory Practices* *Jordan shall adopt and implement good regulatory practices as set out in Article 1.12 of Annex III that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 1.12: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Jordan shall: (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.*
Malaysia ART	*Article 2.8: Good Regulatory Practices* *Malaysia shall adopt and implement good regulatory practices as set out in Article 2.21 of Annex III that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.* *Article 2.21: Adoption and Implementation of Good Regulatory Practices* *With respect to the adoption and implementation of good regulatory practices at the central level of government, Malaysia shall— (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online; (b) under normal circumstances,7 publish and make easily accessible online the text of proposed regulatory measures, 8 as well as any regulatory impact analysis, an explanation of the regulation, and its objective; (c) conduct public consultations for proposed regulatory measures in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received; (d) give reasonable notice*

	of planned regulatory measures and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term; (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation; (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade; (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.
Taiwan ART	*Article 3.8: Good Regulatory Practices* *The Parties, through their Designated Representatives, affirm their rights and obligations regarding good regulatory practices under Chapter 3 of the Agreement Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States Regarding Trade Between the United States of America and Taiwan, which entered into force on December 10, 2024.*

JSI on Services Regulation

Several ARTs include commitments related to the WTO Joint Initiative on Services Domestic Regulation (SDR), which aims to improve transparency, objectivity, and fairness in licensing and authorization procedures affecting services suppliers. Indonesia, Cambodia, Guatemala, Bangladesh, Ecuador, and Jordan commit to take effective actions to implement the SDR disciplines, including submitting revised services commitments for certification at the WTO. In practice, these commitments are intended to ensure that regulatory requirements affecting services providers, such as licensing procedures, technical standards, and authorization requirements, are administered in a transparent, impartial, and predictable manner and do not become disguised barriers to trade.

While the provisions share the same objective, they differ slightly in scope and timing. Indonesia, Cambodia, Guatemala, and Ecuador commit directly to implementing the SDR disciplines, whereas Bangladesh commits to joining the initiative and implementing its obligations within three years of the agreement's entry into force and Jordan commits to implementing the disciplines and submitting its revised commitments for certification within five years of entry into force. Collectively, these commitments reinforce broader ART disciplines on transparency and regulatory practices by embedding internationally recognized rules governing services regulation, which can help reduce administrative barriers affecting digital services providers and other cross-border service suppliers.

Implementing Commitments on WTO JSI on Services Domestic Regulation	
Argentina ART	NONE
Bangladesh ART	*Article 1.15: Services*

	1. Within three years of entry into force of this Agreement, Bangladesh shall join and take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.
Cambodia ART	*Article 1.15: Services Domestic Regulation* *Cambodia shall take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.*
Ecuador ART	*Article 2.12: Services Domestic Regulation* *Ecuador shall take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.*
El Salvador ART	NONE
Guatemala ART	*Article 1.17: Services Domestic Regulation* *Guatemala shall take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.*
Indonesia ART	*3. Indonesia shall take effective actions to implement the WTO Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.*
Jordan ART	*Article 1.11: Services Domestic Regulation* *Jordan shall take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO, within five years of the date of entry into force of this Agreement.*
Malaysia ART	NONE
Taiwan ART	NONE