## INTERNATIONAL ECONOMIC LAW IN THE ERA OF DATAFICATION

This book addresses the challenges of datafication through the lens of international economic law. We are undergoing a wave of datafication practices. If such practices simply continue to evolve without being examined and repaired along the existing path of development, the same issues will continue to accumulate and will more than likely be amplified. The unprecedented economic and social influence of big tech has served as the catalyst for the concept of "digital sovereignty," which is rooted in the need to safeguard regulatory autonomy in a datafied world. The current wave of data-driven innovations has placed the policy debates on digital trade and data governance into an even more challenging context. The book's chapters are connected by the many facets of "data" and systematically explain how international economic law can reduce the perils of datafication instead of increasing them. This title is part of the Flip it Open Programme and may also be available Open Access. Check our website Cambridge Core for details.

SHIN-YI PENG is Distinguished Professor of Law at National Tsing Hua University. Professor Peng is a member of the Indicative List of Panelists for resolving WTO disputes. She has served as vice president of the Society of International Economic Law. In Taiwan, she is a former commissioner of the National Communications Commission, and the recipient of the Outstanding Research Awards from the National Science and Technology Council.

## CAMBRIDGE INTERNATIONAL TRADE AND ECONOMIC LAW

Series Editors

Professor Lorand Bartels University of Cambridge

Professor Thomas Cottier University of Berne

Professor Tomer Broude Hebrew University of Jerusalem

Professor Andrea K. Bjorklund McGill University, Montréal

Processes of economic regionalisation and globalisation have intensified over the last decades, accompanied by increases in the regulation of international trade and economics at the levels of international, regional and national laws. At the same time, significant challenges have arisen with respect to economic liberalization, rule-based systems of trade and investment, and their political and social impacts. The subject matter of this series is international economic law, in this contemporary context. Its core is the regulation of international trade, investment, finance and cognate areas such as intellectual property and competition policy. The series publishes books on related regulatory areas, in particular human rights, labour, environment and culture, as well as sustainable development. These areas are horizontally interconnected and vertically linked at the international, regional and national levels. The series also includes works on governance, dealing with the structure and operation of international organisations related to the field of international economic law, and the way they interact with other subjects of international and national law. The series aims to include excellent legal doctrinal treatises, as well as cutting-edge interdisciplinary works that engage law and the social sciences and humanities.

## INTERNATIONAL ECONOMIC LAW IN THE ERA OF DATAFICATION

SHIN-YI PENG National Tsing Hua University



Downloaded from https://www.cambridge.org/core. IP address: 18.224.57.237, on 12 Mar 2025 at 03:02:35, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009355025



Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314-321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi - 110025, India

103 Penang Road, #05-06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment, a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org Information on this title: www.cambridge.org/9781009354981

DOI: 10.1017/9781009355025

© Shin-yi Peng 2024

This work is in copyright. It is subject to statutory exceptions and to the provisions of relevant licensing agreements; with the exception of the Creative Commons version the link for which is provided below, no reproduction of any part of this work may take place without the written permission of Cambridge University Press.

An online version of this work is published at doi.org/10.1017/9781009355032 under a Creative Commons Open Access license CC-BY-NC 4.0 which permits re-use, distribution and reproduction in any medium for non-commercial purposes providing appropriate credit to the original work is given. You may not distribute derivative works without permission. To view a copy of this license, visit https://creativecommons.org/licenses/by-nc/4.0/

All versions of this work may contain content reproduced under license from third parties. Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI 10.1017/9781009355032

First published 2024

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data Names: Peng, Shin-Yi, author. Title: International economic law in the era of datafication / Shin-Yi Peng, National Tsing Hua University.

Description: Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2024. | Series: Cambridge international trade and economic law | Includes

bibliographical references and index.

Identifiers: LCCN 2023045586 (print) | LCCN 2023045587 (ebook) | ISBN 9781009354981 (hardback) | ISBN

9781009355018 (paperback) | ISBN 9781009355025 (ebook)

Subjects: LCSH: Information technology-Law and legislation. | Foreign trade regulation. |

Big data. | International trade-Technological innovations-Law and legislation. | Computer

networks-Law and legislation. | Electronic commerce-Law and legislation. |

Organizational change.

Classification: LCC K3820 .P46 2024 (print) | LCC K3820 (ebook) | DDC 343.09/99-dc23/eng/20231002

LC record available at https://lccn.loc.gov/2023045586 LC ebook record available at https://lccn.loc.gov/2023045587

> ISBN 978-1-009-35498-1 Hardback ISBN 978-1-009-35501-8 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.