

# Panel 8 Digital platforms and international trade law: Scope, typology and mandate

Colloquium on harmonizing law in the age of digital trade and finance

New York, 10–13 February 2026



**Teresa Rodríguez de las Heras Ballell**

*Full Professor of Commercial Law, Universidad Carlos III de Madrid*

*President of the European Law Institute (ELI)*

*Director of the Research Chair on AI, Foundations & Frontiers*

*Member of the Expert Group to the EU Commission Observatory on Platform Economy*



Foundations & Frontiers

[teresa.rodriiguezdelasheras@uc3m.es](mailto:teresa.rodriiguezdelasheras@uc3m.es)

uc3m | Universidad Carlos III de Madrid

# Digital Economy is today a Platform Economy

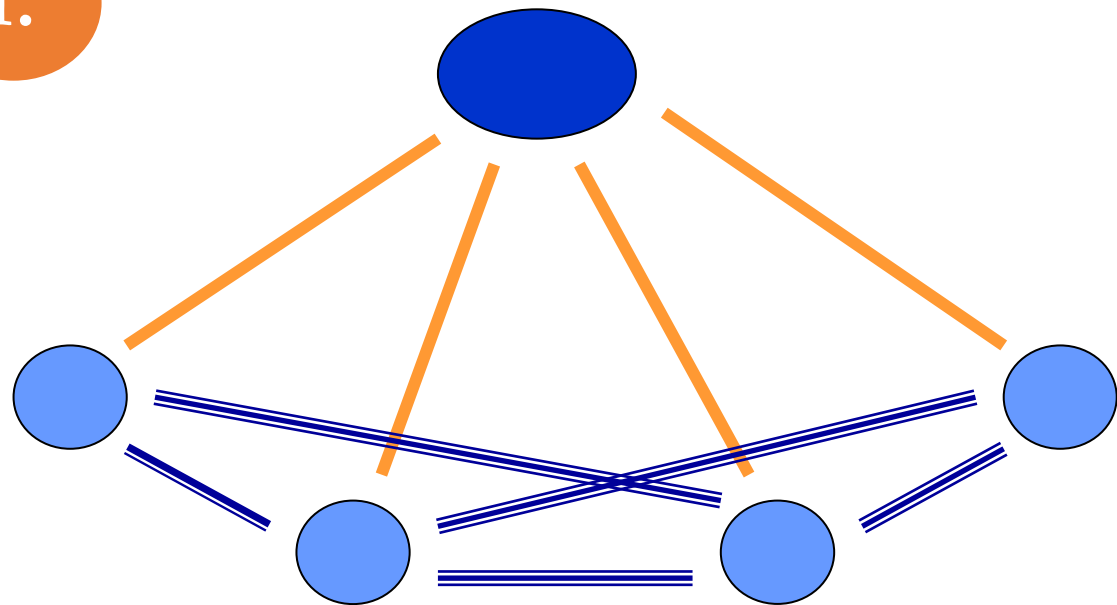
## Roadmap

**I. Transition towards a Platform Economy: Concept/s of Platform**

**II. The Roles of Platform Operators**

**III. Policy Options and Scope-Delimiting Decisions**

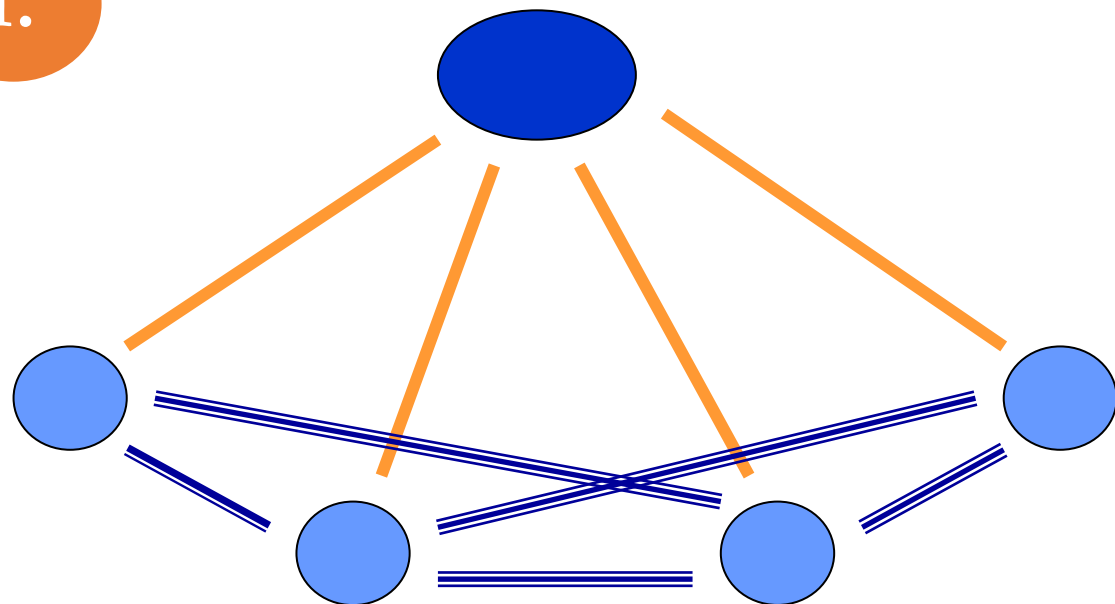
I.



## Key design features

1. Centralised – *Operator*
2. Contract-based architecture – *P2U*
3. Community of users – *U2U interactions*

I.



## Key design features

1. **Centralised** – *Operator*
2. **Contract-based architecture** – *P2U*
3. **Community of users** – *U2U interactions*

## Relevant functional, structural, and operational features

Parties: B, C, P, G, M

Purpose

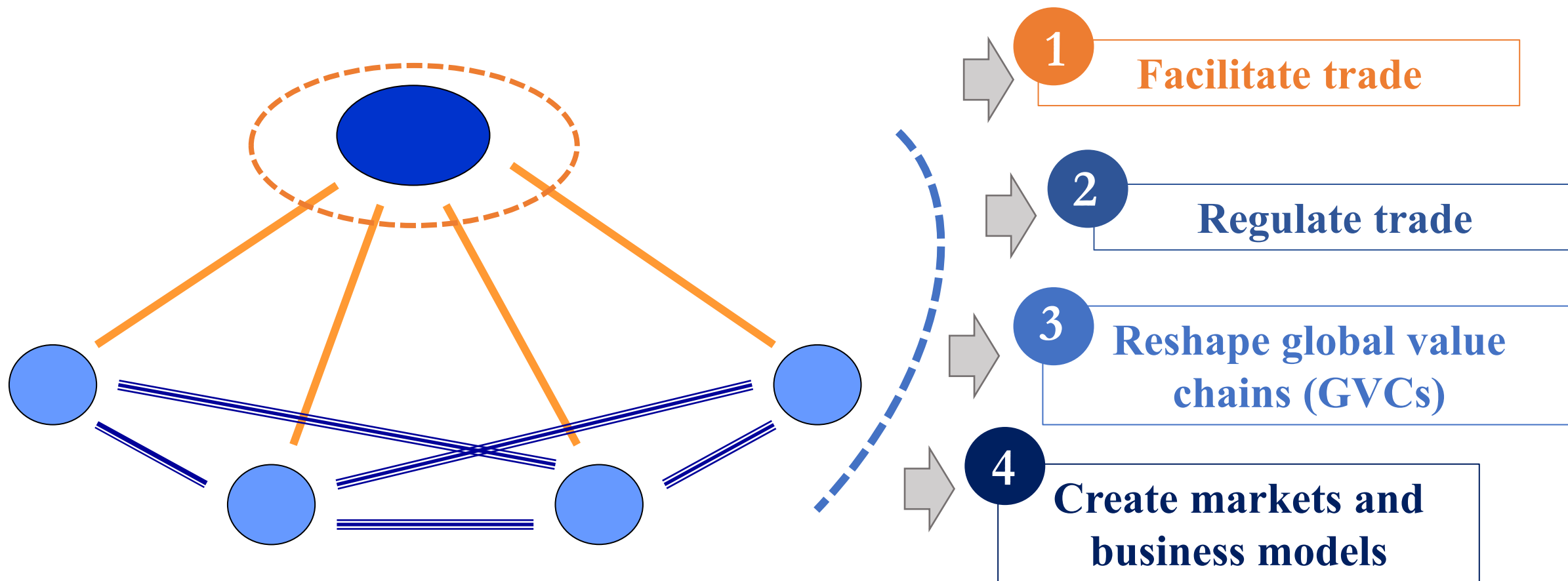
Type of interaction: U2U

Role of the operator: *provider, intermediary, distributor, etc*

Governance

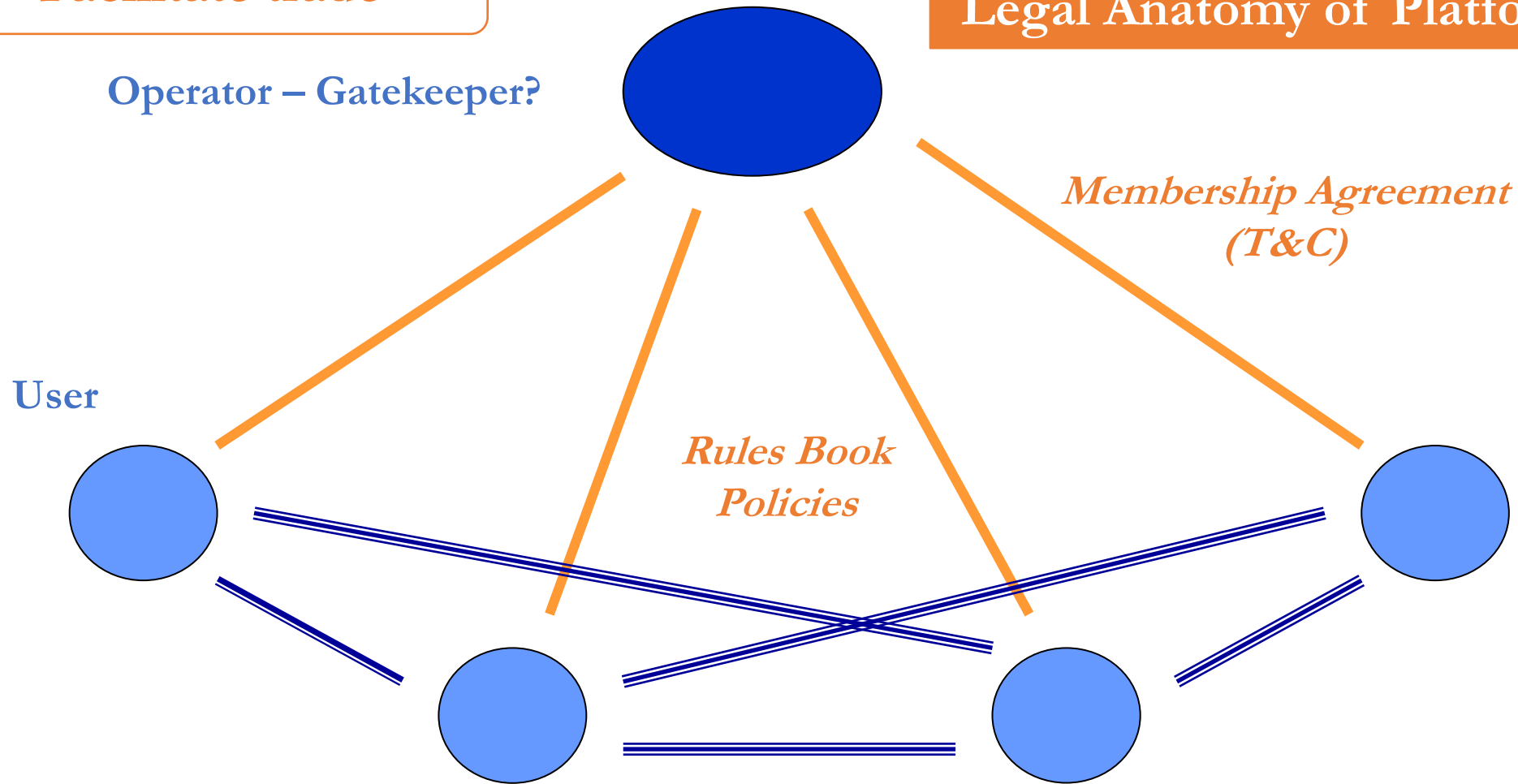
## II.

### Roles of Platforms and Platform's operators



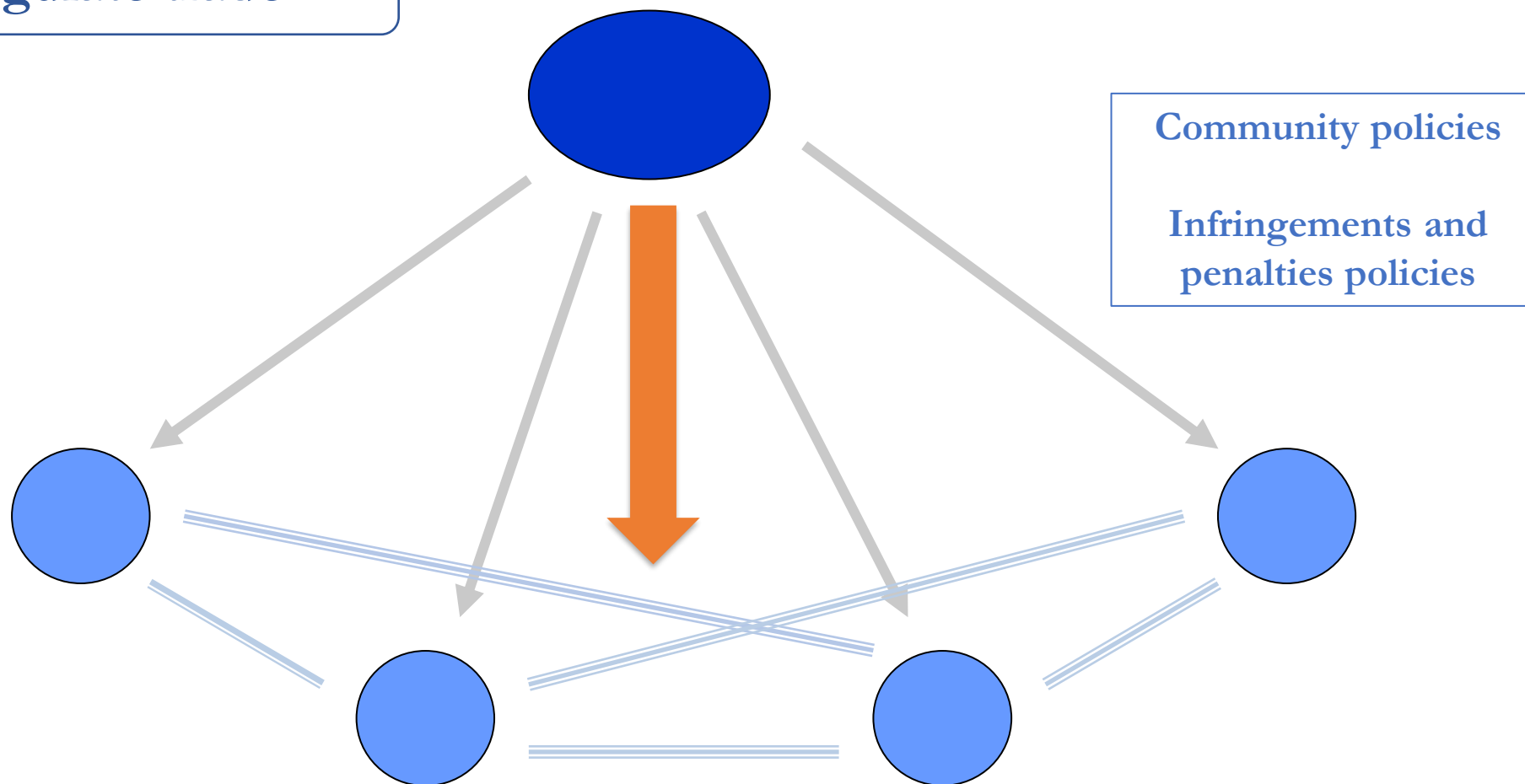
1 Facilitate trade

Legal Anatomy of Platforms



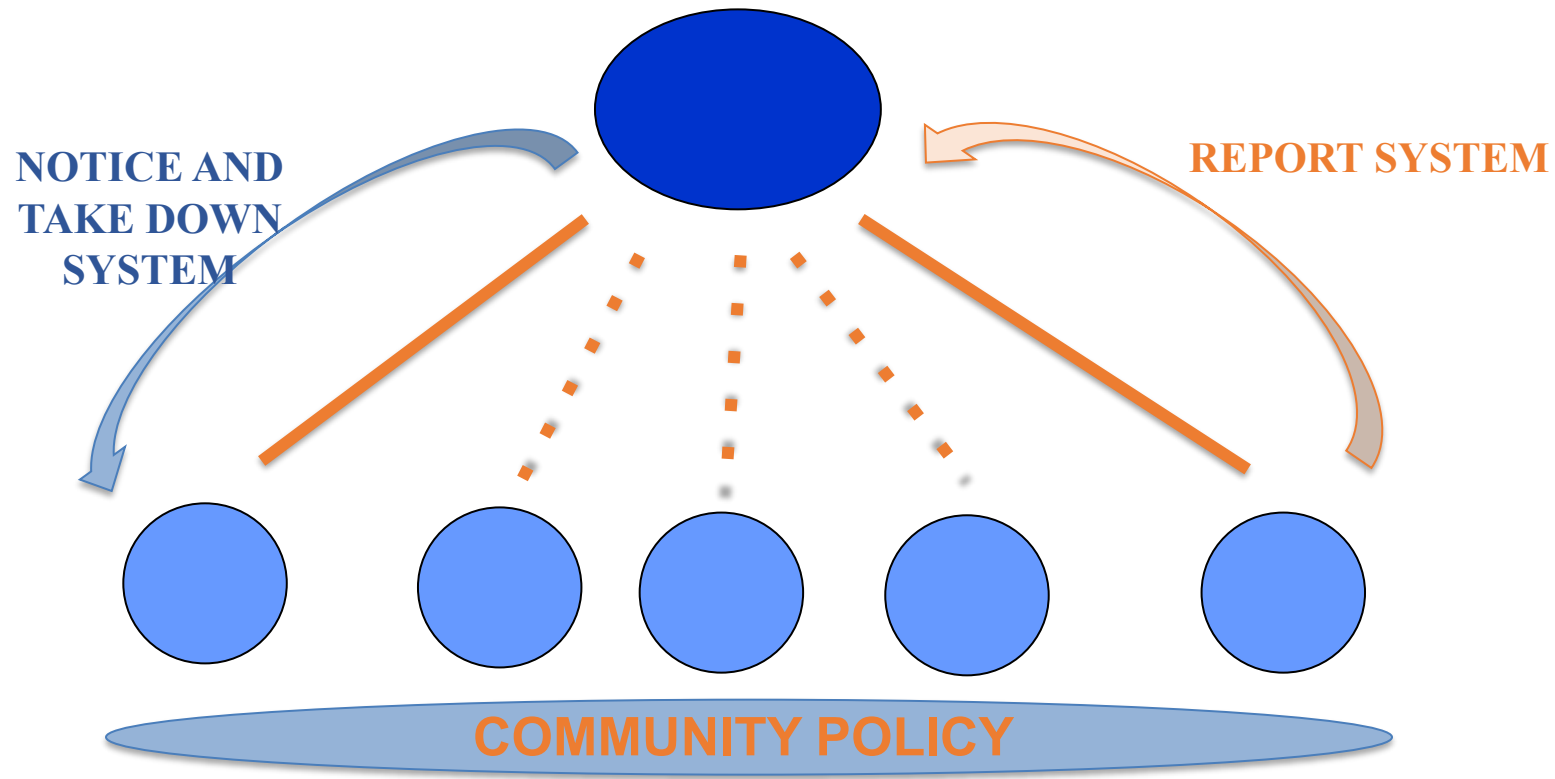
## 2.A.- Regulation, Governance and Supervision Models

2 Regulate trade



## 2.B.- Decentralised Regulation, Governance and Supervision Models

2 Regulate trade



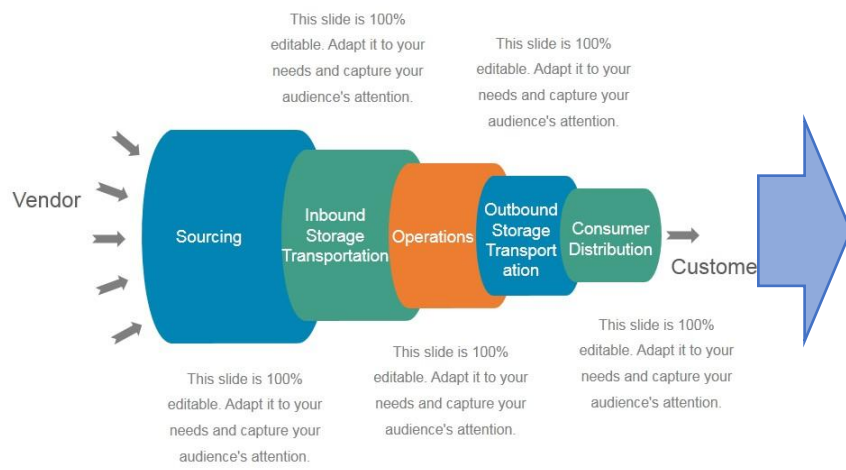
3 Reshape GVCs

Transformation of GVCs from *pipeline* models ...

...to networks and platforms



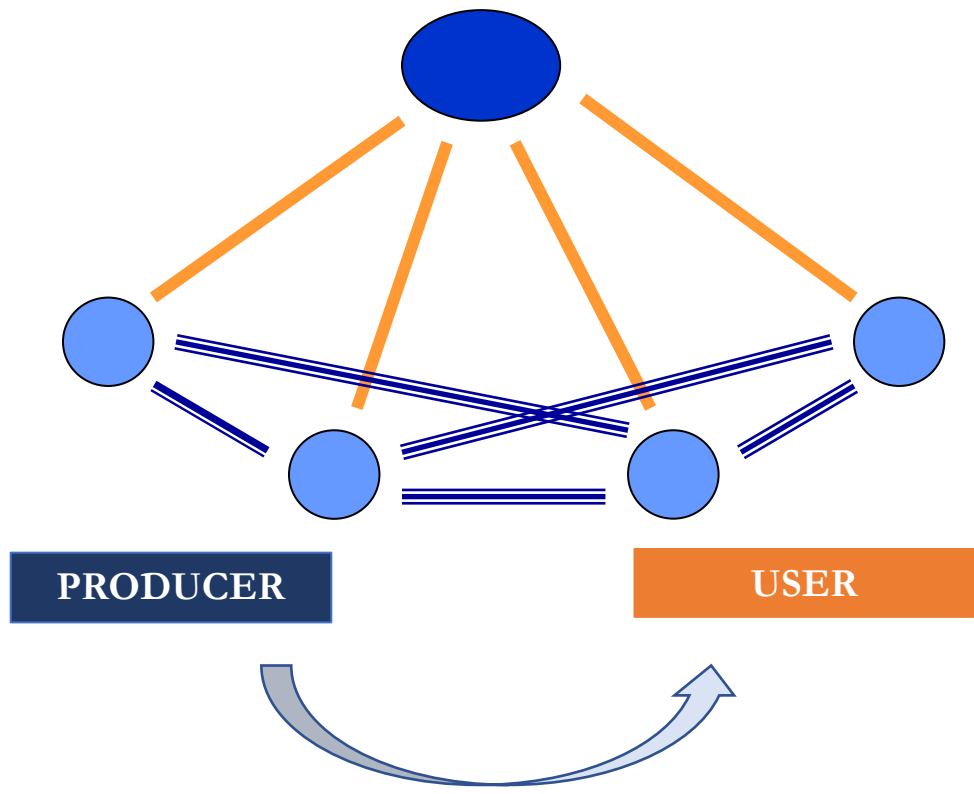
SUPPLY CHAIN MANAGEMENT PIPELINE



# II.

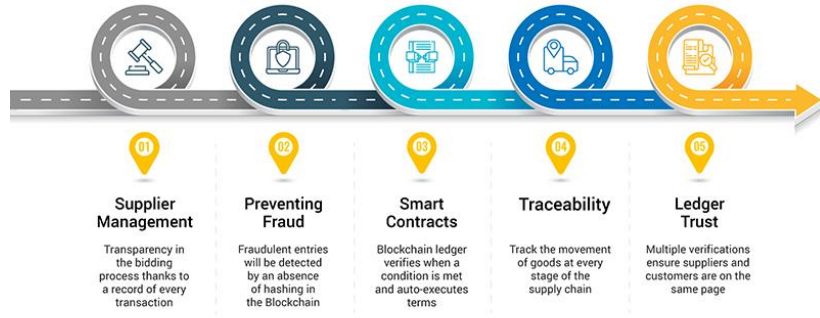
## 3 Reshape GVCs

Transformation of GVCs from *pipeline* models to networks and platforms



## DLT for GVCs and GVCs as DLT models

### Implementing Blockchain in Supply Chain



## II.

**Transformation of  
GVCs from *pipeline*  
models ...**

**from document-  
based structures**

**from human actions...**

**...to networks and  
platforms**

**...to data-driven  
models**

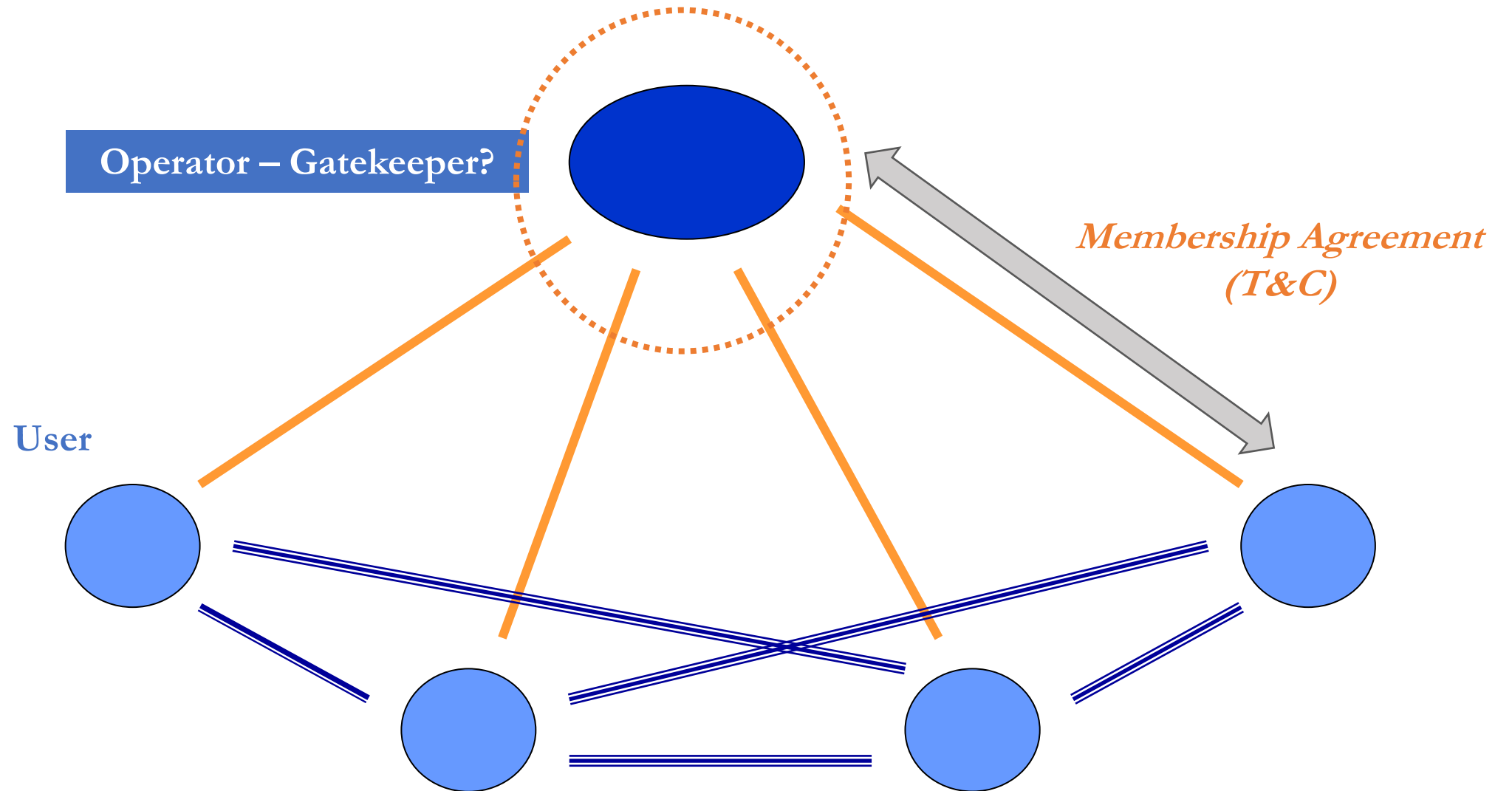
**...to automated  
decision-making**

## Policy Options and Scoping Decisions for the Platform Economy

### Centralised / Decentralised (DLT)

- a). The decisive role of the operator and
- b). Policy and legal focus on **P2U contract**

## A). Centralised platform



## Policy Options and Scoping Decisions for the Platform Economy

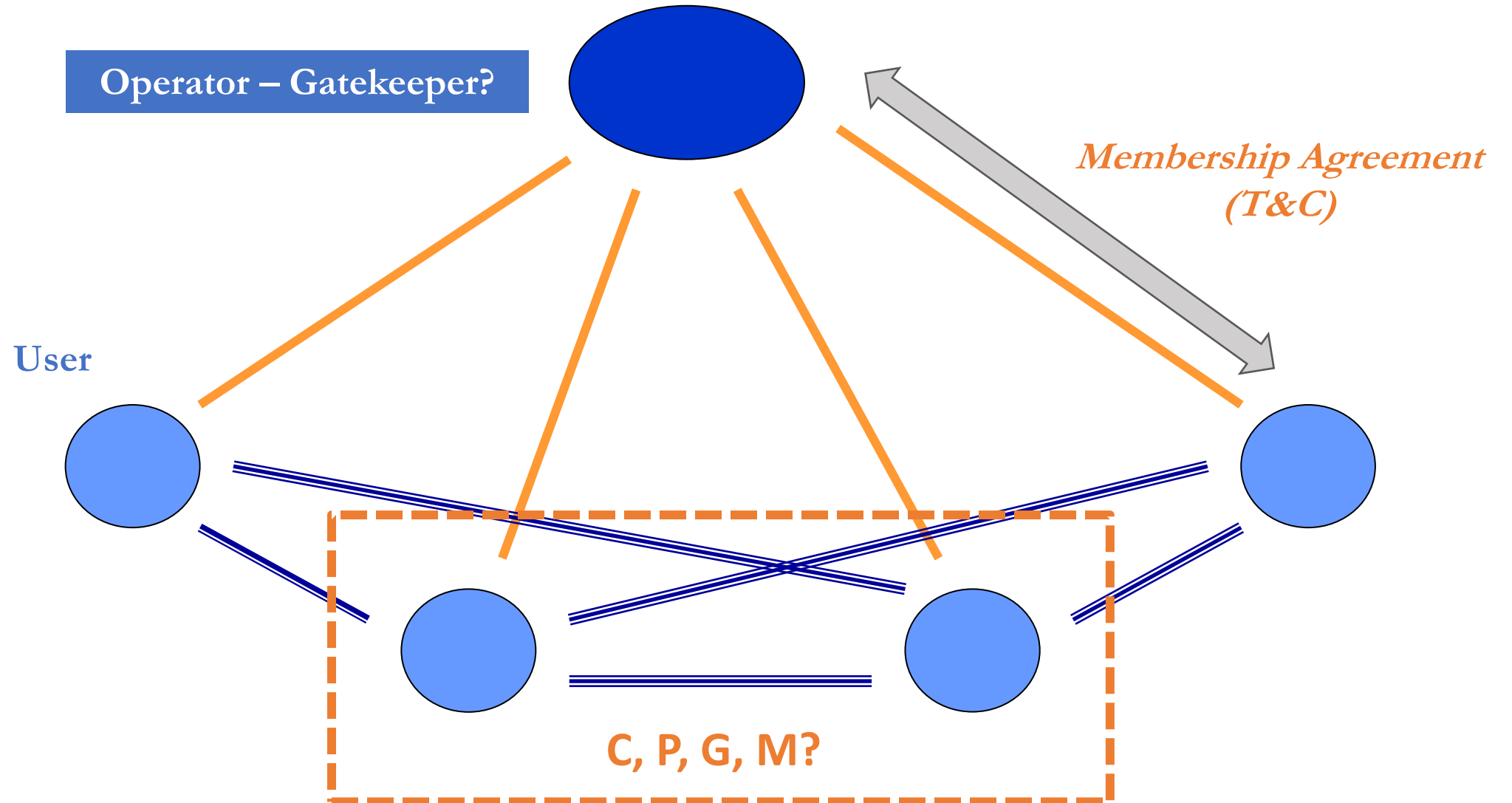
### Centralised / Decentralised (DLT)

- a). The decisive role of the operator and
- b). Policy and legal focus on **P2U contract**

### P2B / C, P, G, M?

- a). Rules only on P2U contract
- b). U2U *may* be irrelevant
- c). Asymmetries and vulnerabilities beyond 'consumer protection'
- d). Possible pragmatic decision: any U, but no harmonised rules but domestic/regional ones if U is C, P, or G

## B). P2B



## Policy Options and Scoping Decisions for the Platform Economy

### Centralised / Decentralised (DLT)

- a). The decisive role of the operator and
- b). Policy and legal focus on **P2U contract**

### P2B / C, P, G, M?

- a). Rules only on P2U contract
- b). U2U *may* be irrelevant
- c). Asymmetries and vulnerabilities beyond 'consumer protection'
- d). Possible pragmatic decision: any U, but no harmonised rules but domestic/regional ones if U is C, P, or G

### Transactional / *Any*

- a) If U2U interaction are not transactional, would the U in P2B business?
- b) If no transactional, is the Project related to international trade?

**Policy Options and Scoping Decisions for the Platform Economy**

**Centralised / Decentralised (DLT)**

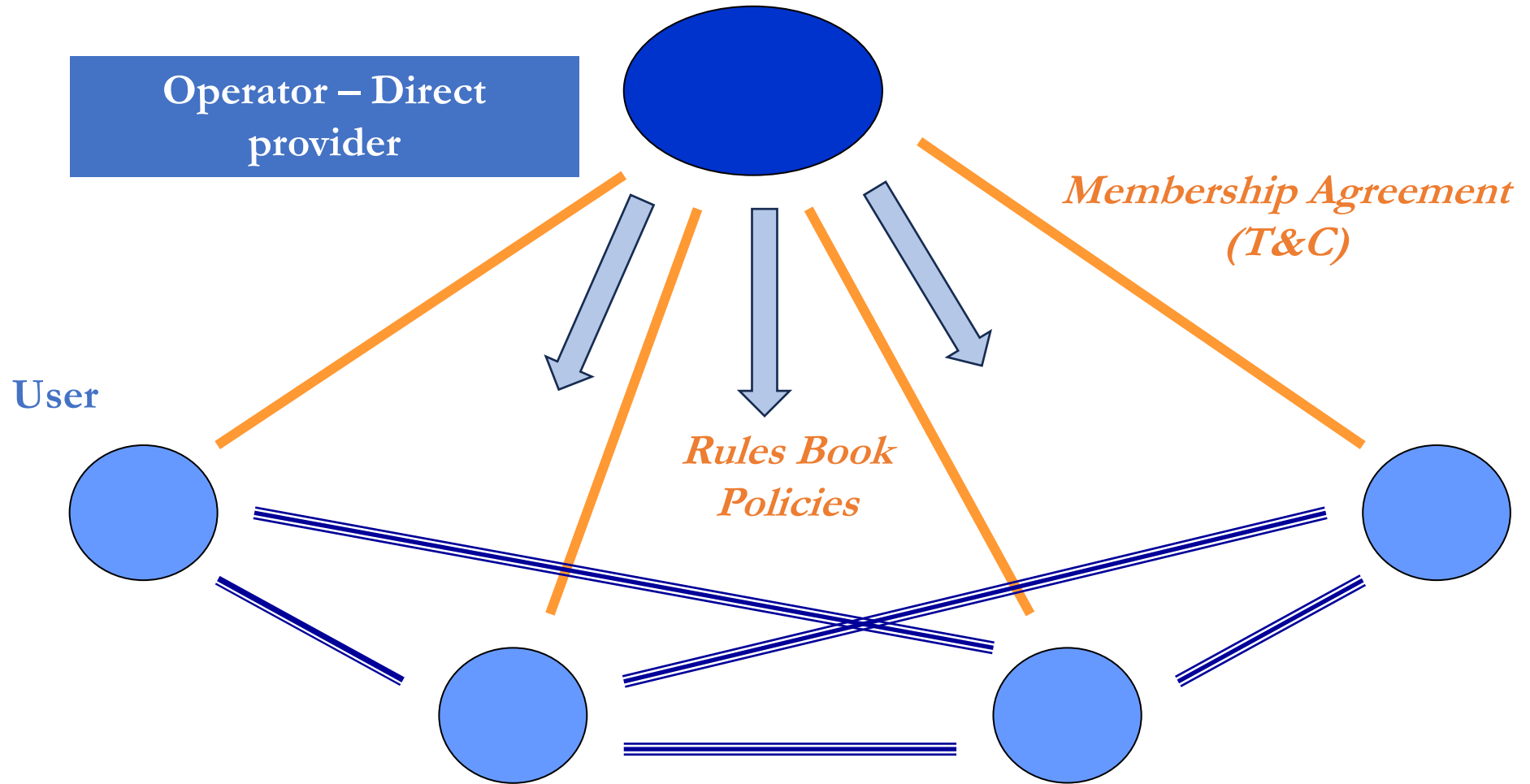
**P2B / C, P, G, M?**

**Transactional / *Any***

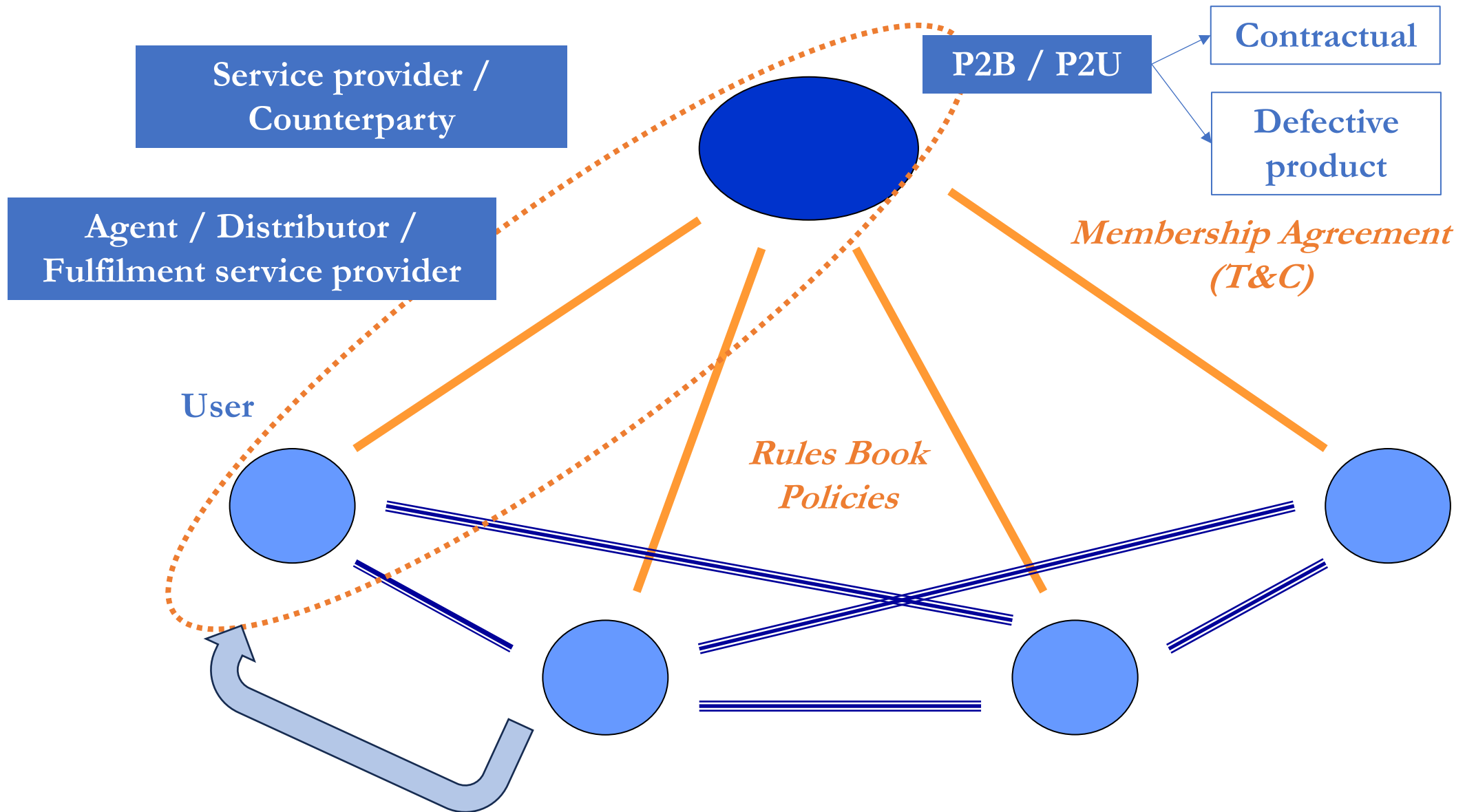
**Role of the platform – legal nature of the P2U contract**

- a) Are commons terms in any P2U contract?
- b) Possible contracts: distribution, commercial agent, digital services, service provision, etc

## C). Roles of the platform operator



## C.- Platform liability: possible scenarios



## Policy Options and Scoping Decisions for the Platform Economy

Centralised / Decentralised (DLT)

P2B / C, P, G, M?

Transactional / *Any*

Role of the platform – legal nature of the P2U contract

- (Selected) Terms and conditions:**
- Unilateral changes of services and/or contract conditions
  - Right (not obligation) to supervise
  - Content moderation: *statement of reasons / complaint / redress*
  - Incompatibility with terms and conditions: penalties
  - Transparency of reputational systems and recommender mechanisms
  - Liability exclusion and limitations



## **Teresa Rodríguez de las Heras Ballell**

*Full Professor of Commercial Law, Universidad Carlos III de Madrid*

*President of the European Law Institute (ELI)*

*Director of the Research Chair on AI, Foundations & Frontiers*

*Member of the Expert Group to the EU Commission Observatory on Platform Economy*



**ARTIFICIAL**  
intelligence

Foundations & Frontiers

[teresa.rodruiguezdelasheras@uc3m.es](mailto:teresa.rodruiguezdelasheras@uc3m.es)

uc3m | Universidad Carlos III de Madrid