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General Council

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## WORK PROGRAMME ON ELECTRONIC COMMERCE

### COMMUNICATION FROM THE AFRICAN GROUP<sup>1</sup>

The following communication, dated 20 November 2017, is being circulated at the request of the delegation of Rwanda on behalf of the African Group.

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## DRAFT MINISTERIAL DECISION ON ELECTRONIC COMMERCE

*Ministers,*

*Recognizing* that global electronic commerce is growing rapidly and creating an alternative means for trade;

*Committed* to addressing the uneven spread of global electronic commerce and risk of disruptive impacts;

*Committed* to overcoming the digital and technological divide underlying digital trade and electronic commerce;

*Recognizing* that diverse national measures are necessary to build national capabilities, with a view to promote inclusive, equitable and sustainable growth;

*Recognizing* the need to clarify the treatment of electronic commerce in relevant WTO Agreements, and the broad interest of Members to continue examining all trade-related issues relating to global electronic commerce;

*Resolved* to ensuring access to the Internet to more than half of the world's population who remain offline;

*Taking* particular account of the economic, financial, and development needs of developing countries;

*Recognizing* the valuable work being undertaken in other multilateral and international fora;

*Decide:*

1. To continue the work under the Work Programme on Electronic Commerce since our last session, based on the existing mandate and guidelines, in the relevant WTO bodies as set out in paragraphs 2 to 5 of the Work Programme.
2. To address all open issues in the relevant bodies, as provided for in paragraphs 2 to 5 of the Work Programme on Electronic Commerce, including but not limited to definition, classification and technological neutrality.

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<sup>1</sup> This submission is without prejudice to the position of Nigeria.

3. To discuss, in the relevant bodies, the manner in which Members can preserve their right to regulate electronic commerce and consideration of all measures to promote national digital industrial development with a view to promoting inclusive, equitable and sustainable growth.
4. To undertake, in the relevant bodies, a thorough examination of the opportunities and risks associated with digital transformation and electronic commerce.
5. To discuss, in the relevant bodies, measures Members have taken and may take to develop their national institutional regulatory capacity that ensure: the protection of information of all Members and their citizens, including but not limited to mandatory disclosure of data; the disclosure of source codes; access to, and transfer of technology.
6. To continue, in the relevant bodies, the practice of national experience sharing of *inter alia*: the historical development of the digital industry; the challenges and measures adopted to promote digital economy and electronic commerce.
7. To instruct the General Council to hold periodic reviews in its sessions of July and December 2018 and July 2019 based on the reports that may be submitted by the WTO bodies entrusted with the implementation of the Work Programme and report to the next session of the Ministerial Conference.

*On the moratorium, the African Group is still discussing it in view of the revenue implications of the current moratorium on customs duties, particularly in the context of increasing digitization of goods and services. For these reasons, the renewal of the moratorium should not be seen as automatic.*

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