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General Council

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WORK PROGRAMME ON ELECTRONIC COMMERCE

COMMUNICATION FROM HONG KONG, CHINA; JAPAN AND THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU

The following communication, dated 6 October 2017, is being circulated at the request of the delegation of Japan.

DISCUSSION DRAFT DECISION FOR MC11

Members,

In accordance with the Work Programme on Electronic Commerce of 1998;

Recognizing that advancement of digitalization has been transforming all aspects of business activities over the past 20 years;

Recognizing both the unique challenge and opportunities for developing country Members as well as micro, small and medium sized enterprises (MSMEs) for sustainable and inclusive growth through electronic commerce; and,

Recognizing that existing WTO Agreements apply to electronic commerce;

Decide as follows:

1. Members agree to establish a Working Group on Electronic Commerce. This Working Group shall conduct an evaluation of whether the clarification or strengthening of the existing WTO rules is necessary. In the course of conducting the evaluation, Members may refer to related submissions¹, seminars and workshops since the 10th Ministerial Conference, and consider issues such as transparency, regulatory frameworks, open and fair trading environment, and development.
2. The Working Group shall report results achieved to the first meeting of the General Council in 2019. Members may then decide to initiate negotiations without delay depending on the result of the evaluation.
3. Members will maintain the current practice of not imposing customs duties on electronic transmissions until the next session.

¹ JOB/GC/94, JOB/GC/96, JOB/GC/98, JOB/GC/99, JOB/GC/100, JOB/GC/110, JOB/GC/113, JOB/GC/115, JOB/GC/116, JOB/GC/117, JOB/GC/128, JOB/GC/129, JOB/GC/130 and IP/C/W/613.