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General Council

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WORK PROGRAMME ON ELECTRONIC COMMERCE

COMMUNICATION FROM COSTA RICA

The following communication, dated 10 October 2017, is being circulated at the request of the delegation of Costa Rica.

DRAFT MINISTERIAL DECISION

WTO E-COMMERCE DEVELOPMENT AGENDA

The Ministerial Conference,

Having regard to paragraph 1 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization;

Recalling the 'Work Programme on Electronic Commerce' adopted on 25 September 1998 and reaffirming subsequent Ministerial Declarations and Decisions on it;

Considering the potential of electronic commerce for socioeconomic development;

Recognizing the importance of clarity, transparency and predictability in domestic regulatory frameworks in facilitating the development of electronic commerce;

Further recognizing the importance of facilitating the use of electronic commerce by micro, small and medium sized enterprises;

Re-confirming the right of Members to maintain a regulatory environment conducive to electronic commerce to meet national policy objectives and, given asymmetries with respect to the degree of development of electronic commerce, the particular need of developing countries to exercise this right;

Decides:

To establish, as an integral part of the 1998 Work Programme on Electronic Commerce, an E-Commerce for Development Agenda to assess the needs of developing countries in relation to e-commerce and to facilitate focused dialogue on the challenges and opportunities they face, as set out in Annex XX.

ANNEX XX

1. The WTO E-Commerce for Development Agenda shall identify priority needs of developing countries, including Least Developed Countries, Landlocked Developing Countries, and Small Island Developing States with respect to e-commerce.
2. Given that the Agenda shall leverage the expertise and capacity of relevant international and regional institutions working collaboratively, we:
 - a. Request the Director-General to coordinate with the Secretary-General of UNCTAD, the Executive Director of ITC, and the President of the World Bank to leverage their institutions' expertise, and that of other international organizations, in preparing informational material on each of the subject areas in paragraph 3 below. This will assist all Members, especially developing countries, to engage fully in relevant discussions;
 - b. Consider inputs from regional organizations regarding challenges and priorities in the development of e-commerce in different regions to be essential, as are inputs from regional financial institutions regarding funding to meet gaps.
3. The Agenda should focus on the following six areas working on the basis of proposals and contributions submitted by Members:
 - a. ICT Infrastructure and Services: How can we apply trade policy to help reduce the digital divide, especially considering Sustainable Development Goal 9(c): "to significantly increase access to information and communications technology and strive to provide universal and affordable access to the Internet in least developed countries by 2020"?
 - b. Trade Logistics: How can we facilitate trade from developing countries, especially from LDCs, through transparent, predictable and more favourable terms for e-commerce by simplifying customs procedures for exports to developed countries?
 - c. Payment Solutions: How can we facilitate mobile payment services to advance financial inclusion, and to ensure international payments for e-commerce transactions in goods and services?
 - d. Legal and Regulatory Frameworks: How can we promote e-commerce enabling environment by improving regulations on consumer protection, data protection, secure cross-border data transfers, and other relevant issues?
 - e. E-commerce Skills Development and Technical Assistance: How can the WTO, ITC, UNCTAD, and other relevant international institutions improve e-commerce readiness and strategy and the delivery of assistance with a particular focus on MSMEs?
 - f. Access to Finance: How can we facilitate access to finance for e-commerce, especially for MSMEs and LDCs?
4. Work by WTO and other relevant international organizations to improve the availability of information related to cross-border e-commerce shall form an integral part of the Agenda, in order to facilitate evidence-based policymaking in the area of e-commerce and development that will benefit all Members;
5. That the Working Group on E-Commerce¹ should engage itself with this Agenda as part of its regular work:
 - a. A comprehensive report on the work carried out under the E-Commerce for Development Agenda shall be submitted to the General Council and a report on the progress achieved presented to the next session of the Ministerial Conference;

¹ This refers to informal proposals of other Members; the final text would need adjustment depending upon negotiations.

- b. The Working Group may present recommendations to the General Council on the areas in paragraph 3, particularly issues of a cross-cutting nature.
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