

E15 Engagement on the WTO and MC11 Roundtables

E-Commerce and Development: Sharing Commitments and Extending Benefits

24 July 2017, Maison de la Paix, Petale 5, Geneva

There is a widespread recognition of the relevance of electronic commerce in international trade. Members at the World Trade Organization have been dealing with the legal and political challenges around e-commerce related rules for quite some time. These exploratory efforts, however, need to take a turn if they are to deliver credible outcomes for the Eleventh Ministerial Conference (MC11). The economic and social impact transcends the classical divide between developed and developing countries. New business opportunities are created not just in developed markets but also, and perhaps mostly, in developing ones. E-commerce has democratised access to global markets, particularly for micro, small and medium enterprises. International trade is no longer the exclusive domain of large multinational corporations, as it was clearly demonstrated at UNCTAD's E-commerce Week last April. Interest came from everywhere, covering all continents, market sizes, and economic sectors.

WTO members have been talking about possible deliverables on the basis of various proposals dealing with different aspects of e-commerce rulemaking. While different approaches and sensitivities have been reflected, a significant degree of convergence can also be observed on issues related to trade facilitation and institutional strengthening in the context of e-commerce rules.

Working towards the next Ministerial Conference will require both flexible thinking and ambition. Considering all perspectives, particularly the views of developing and least developed countries, could prove pivotal for the success of any initiative towards MC11.

In this context, an approach to rulemaking designed around a development dimension could be explored, while preserving the binding nature of multilateral trade rules.

This dialogue will look at the issue of development and rulemaking on e-commerce, having MC11 as a possible target. In a roundtable discussion, held under Chatham House Rule, experts and select WTO delegates will examine and discuss the nature of e-commerce related rules, their different subtypes, and their interaction with development driven aspects and challenges at the implementation stage. It will also focus on the implementation/compliance of e-commerce related rules, and possible elements to be considered in a quid pro quo scheme between compliance and development.

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AGENDA

09:00 – 09:15 **Welcome Remarks by the Organisers**

09:15 - 10:45 **Session I: Identifying Convergence in Existing Proposals**

This panel will look into the current state of play at the WTO, and the prospects for possible deliverables for MC11. In doing so, the panel will look at the set of proposals tabled at the WTO, and will intend to identify areas of convergence among them. The panel will also examine to what extent a development dimension has been addressed by the different proposals.

Moderator:

Felipe SANDOVAL, Senior Advisor, Trade Law and Negotiations, ICTSD

Lead discussant (15-20 minutes):

Daniel CROSBY, Partner, International Trade Practice Group, King & Spalding

Open discussion

10:45 – 11:15 **Coffee/tea**

11:15 – 12:45 **Session II: The Development Dimension and New Rules on E-Commerce**

This segment of the dialogue will look into the different types of e-commerce related provisions, particularly from the perspective of their implementation. On the basis of this analysis, participants will be asked to share possible elements to consider in the context of a negotiation towards MC11 and beyond. Particular attention will be paid to a possible quid pro quo between the fulfilment of binding obligations and a negotiated set of trade rules.

Moderator:

Ricardo MELÉNDEZ-ORTIZ, Chief Executive, ICTSD

Andrew CROSBY, Managing Director, ICTSD

Lead discussant (15-20 minutes):

Pierre SAUVÉ, Senior Trade Specialist, Trade and Competitiveness Global Practice, World Bank Group

Open discussion

12:45 – 13:00 **Concluding Remarks**