



E-Commerce and GATS

Seminar on Trade in Services
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Trade in Services Division
WTO



What are the issues?

- What do we understand by e-commerce?
- What services are involved and what commitments should be made?
- Should the 'moratorium' on imposing customs duties on electronic transmissions be made permanent?
- What are the ICT Principles proposed by certain Members?
- What classification issues arise: digitized products, 'new' services, other issues?

What does “e-commerce” mean?

- No agreed meaning
 - But in common usage the term has a broad scope. A suggested definition:
“trading in products or services conducted via computer networks such as the Internet”
- Query:
 - In the 1960s, ordering products over the telephone could be seen as a type of ‘electronic’ business. Does e-commerce pose *qualitatively* different regulatory issues than earlier forms of ‘distance selling’?

What services are involved in E-commerce?

- E-commerce cuts across numerous services sectors and modes
- Following services would typically be involved
 - computer
 - communication
 - advertising services
 - distribution services
 - financial services
 - distribution services
- Commitments in these sectors are needed to ensure liberalized access
- Classification issues can arise, and as to whether modes 1 or 2 are involved in certain transactions



1998 Decision not to impose customs duties on electronic transmissions

- In 1998 Ministers decided that “Members should “maintain their current practice of not imposing customs duties on electronic transactions”
- The moratorium has been regularly extended, most recently at the 2013 Bali Ministerial meeting
- In practical terms, a “bit tax” would be very difficult and costly to implement
- This is the only concrete result so far concerning the discussion of e-commerce issues in the WTO

Establishment of an E-commerce Work Programme

- Established by Ministers in 1998
- Began a 16-year discussion in WTO, including in services Council, on cross-cutting issues including
 - classification of the E-commerce content
 - fiscal implications of e-commerce
 - imposition of customs duties on electronic transmissions
 - competition issues
 - jurisdiction and other legal issues
- Work Programme was extended once again at 2013 Bali Ministerial meeting

Current status of Work Programme

- Members have recently made submissions to the services Council on
 - Principles to enhance networks and develop E-commerce (EU and US)
 - Further suggested ICT principles (Australia)
 - Trade rules to support innovative advances in computer applications (US)
 - E-commerce by SMEs (Switzerland)
 - Authorizations affecting E-commerce (EU)

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_5386

