

General Council Meeting held on 26.07.2017

'Review of E Commerce Work Programme'

Intervention by India

Thank you chair.

2. We would also like to thank the chairs of CTS, CTG, TRIPS and CTD for their comprehensive review. India welcomes discussions on E-commerce within the existing framework on the Work Programme (WP) of 1998 which is a non-negotiating and exploratory one. In this regard, we wish to underscore our views both on the substance and the process of ongoing work and discussions.

3. While Ecommerce presents opportunities for economic growth and development, it is also widely acknowledged that both the transformation and the growth in E-commerce across the world is hugely uneven which is the result of a deep and wide global digital divide on infrastructure, skills and technology. The priority for us, therefore, should be to expand the internet and bridge the digital divide on infrastructure and connectivity. This is specially critical as today only 1 in 3 people in India, 1 in 4 in Africa and 1 in 7 in LDCs have access to internet, leave aside high speed broadband that is required for accessing e-trade platforms and services. Access to internet is, therefore a major issue that needs to be addressed urgently. I must reiterate that unless this is done, the asymmetry of information that this digital divide is creating will transform into an asymmetry of opportunity against the interests of the developing world.

4. In the current exploratory phase, we feel emphasis should be laid on the need to understand the full scope and dimensions of the various issues involved and address the knowledge gap which exists in this area. Scoping of the digital divide is important for all developing countries to understand the impact of the radical, disruptive and transformative technological changes and its impact on growth of developing countries. The important issues which we need to discuss and understand includes access to technologies, skill development, impact of automation in developing countries, particularly on employment and inequality between and within countries. There is also a need to address what can be done about this and the necessity for technology transfer arrangements and strategies to deal with the digital divide. In other words, development dimension and concerns of developing countries and LDC's should remain central to the discussions on ecommerce, in accordance with the letter and spirit of the WTO Work Programme.

5. We understand some Members are keen to begin to identify issues for multilateral rule-making on ecommerce. In this regard, our considered view is that the gains from E-commerce should not be confused with the likely benefits of rulemaking in E-commerce. While we have seen the benefits of E-commerce

both in goods trade on electronic platforms, convenient delivery of services and support its growth and benefits that it brings to consumers, negotiation on rules and disciplines in E-commerce would be highly premature at this stage especially given the highly asymmetrical nature of the existing global E-commerce space.

6. We are witnessing a phenomenal growth of E Commerce and a 'paradigm' shift in the pattern of trade to one which is highly digitised. The communication from Japan [JOB/GC/130] also emphasizes "the transformational impact of electronic commerce on global trade and investment". This changing trade pattern poses new challenges, both for domestic as well as for cross border trade. The need of the hour, according to us, is therefore sufficient policy space for appropriate domestic and trade policies. We need to therefore focus on exchange of information on the policies and best practices. This is important not just on cross-border data transfer, but on all aspects of ecommerce and digital trade especially on transfer of technology and support to development of digital infrastructure to reduce the digital divide.

7. As regards the process, the Nairobi Ministerial Decision on E-commerce decided to continue work on Electronic Commerce based on the existing mandate and guidelines and on the basis of proposals submitted by Members in the relevant WTO bodies as set out in paragraphs 2 to 5 of the Work Programme. We see merit in this bottom up approach for productive discussions and remain open to any exploratory discussion in the relevant WTO bodies as per the existing mandate. We have noted that the latest Russian proposal (JOB/GC/131) has proposed the establishment of a horizontal Working Group on Electronic Commerce, whereas the proposal from Australia, Canada, Colombia, Qatar and Singapore (JOB/GC/132) has suggested "improvements to processes" without going into details. While we are open to discussing all possible suggestions aimed at improving the existing processes, we would not agree to any approach that takes away the role of the relevant bodies in discussing ecommerce related issues as per the Work Programme which has been reiterated in successive Ministerial Decisions. Pursuant to the 1998 Work programme which identified the need for specific WTO bodies to deal with e-commerce issues that fall within their specific mandate, the various bodies have in fact highlighted additional issues which continue to remain relevant and require deliberation. This remains an unfinished agenda and we should all endeavor to expedite our deliberations on these issues.

8. To conclude Mr Chairman, India looks forward to constructively engaging in the discussions on E Commerce as mandated in the work programme.