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## ELECTRONIC COMMERCE IN GOODS AND SERVICES

### Communication from the Delegation of Egypt

The following communication, dated 2 March 1998, has been received from the Permanent Mission of the Arab Republic of Egypt with the request that it be circulated to the Committee on Trade and Development for its initial consideration at its meeting on 6 March 1998.

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### Working Paper Submitted by Egypt on Electronic Commerce in Goods and Services

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#### I. INTRODUCTION

1. In a rapidly evolving information age, the potential of electronic commerce has captured the attention of governments, businesses and consumers alike. The developments in this area will have a substantial impact on growth and development.

2. Electronic commerce provides a new mode of conducting commercial transactions and trade promotion activities and will have fundamental implications on the way in which business transactions and trade are carried out. It will alter the relations among firms, between importers and exporters as well as between producers and consumers. Trade in numerous goods and services through electronic commerce will be much more efficient than trade using traditional means.

3. Electronic commerce will also have a considerable impact on the structure and evolution of labour markets. Some intermediate steps in the trade transaction chain will no longer be necessary. In some cases consumers would be able to contact producers directly. This will reduce the need for distributors, wholesalers and even retailer trade for some products. In some sectors - especially those of intermediaries - employment will be negatively affected. However, new products and services will also be created and demand will dramatically increase for other products and services like computer

hardware and software, network access providers, programmers, website builders, etc. But these new activities require very high skills and are less labour-intensive than the traditional intermediary ones. Furthermore, since information technologies now allow many of these activities to be performed remotely, their geographical location becomes increasingly neutral. Important 'delocalisations' are therefore expected in a number of information intensive activities.

4. These new developments will require changes in approach and policies to enable governments to deal effectively with the current situation and the evolving new environment.

5. Electronic commerce is a new area with a huge potential. There are no text book solutions to deal with it. Knowledge in this area is based mainly on recent experience and a hands-on approach. Therefore, there is a lot that WTO members can learn from the experience of each other in this area.

6. WTO and GATT before it, have dealt with trade related information technology issues on an ad-hoc basis. The time has come for a more coherent and comprehensive approach to these issues with a particular emphasis on electronic commerce and the use of information technology in integrating developing countries in the Multilateral Trading System (MTS). The ultimate objective is to do our best in putting technological developments in trade related areas at the service of development.

7. The terms of reference of the Committee on Trade and Development (CTD) include a reference to the role of the committee in keeping under review the participation of developing countries in the MTS and the consideration of measures and initiatives to assist the expansion of their trade in goods and services. It is opportune to examine how the WTO can contribute to enhancing trade and investment opportunities of developing countries through electronic commerce and the effective use of information technology in the area of trade.

## II. THE OBJECTIVES OF ADDRESSING THIS ISSUE

8. The following is an inexhaustive list of objectives that could be achieved through the consideration of this issue:

- to deepen our understanding of the issues involved in electronic commerce and examine ways and means to enhance the participation of developing countries in international trade in goods and services through the use of electronic commerce in particular and information technology in general, and to identify ways and means that would achieve these objectives both at the national and international levels as well as identify ways to measure the progress achieved in this respect;
- to examine the role of the WTO in bridging the information gap in the area of trade between developed and developing countries, and to have an overview of how to develop the technological culture in the area of trade in developing countries and how firms in developing countries, and in particular SMEs, could benefit from electronic commerce;
- to examine how electronic commerce and recent proposals on a possible global framework for electronic commerce will affect the supply and demand of goods and services, the market structure and competition and to analyze the impact of the current developments and the anticipated changes on developing countries;
- to share experiences on policies that aim at maximizing the benefits from electronic commerce and examine how they relate to rapid technological developments, as well

as share success stories and practical ways used by businesses to reduce the transaction costs associated with international trade operations through electronic commerce.

### III. THE CURRENT TECHNOLOGICAL SITUATION

9. The world is witnessing revolutionary technological developments, liberalization efforts and rapid developments in the area of information and information technology. These developments are fundamentally changing the way in which we live. This section will briefly address the technological developments that are related to electronic commerce and the challenges facing developing countries in this respect.

10. Technological developments: Telecommunication technology has witnessed tremendous developments in the recent past. Despite the fact that new telecommunication technology is both capital and knowledge intensive, several developing countries were able to benefit from technological developments in this area. India, due to high costs of laying cables in rural and remote areas used a highly advanced satellite-base telecommunication system. In Chile, all the telephone lines are now digital which is a much higher percentage than in some developed countries. In Bangladesh a micro-credit scheme created a rural cellular telephone network. These developments would have been unthinkable only a few years ago.

11. Moreover, developments in computer technology made the production, processing and distribution of information a very important economic activity in its own right. At the same time, technological advances in telecommunications dramatically increased the capacity of transmitting information. But its most significant impact is probably of an economic nature. The dramatic decrease in the cost of transmitting information has opened new - and sometimes unexpected - opportunities to new forms of international trade, new trade flows, and new modes of delivery for existing ones. In many respects, the advent of the Internet has challenged well established economic models about how information can be produced, transmitted and used.

12. Furthermore, telecommunication is moving rapidly from a highly-regulated public monopoly environment to a more liberal deregulated one. Technological developments as well as liberalization efforts in the area of telecommunications around the globe is expected to reduce the cost of services in this area.

13. Weaknesses in telecommunication infrastructure in developing countries: The level of telecommunication infrastructure in developing countries is highly diverse. However, the gap between developed and developing countries in general remains significant. Using teledensity (main lines per 100 inhabitants) as an indicator, the figure for developed countries is over 48, it is around 10 for middle income countries and around 1.5 for LDCs. Access to basic telephonic services remains a prerequisite for electronic commerce. Yet some 2 billion people have never seen a telephone and the vast majority of people in the developing world do not have a telephone within a walking distance of their homes. There are still fewer telephones in Africa today than in Tokyo. This quantitative difference is further aggravated by qualitative weaknesses of networks affecting the quality and reliability of communication as well as a huge gap in telecommunication infrastructure between urban and rural areas in developing countries.

14. Weaknesses in information infrastructure: The personal computer ratio per 100 inhabitants gives an indication of the information technology gap. The figure ranges from 18 for high-income countries to 2.3 for medium-income countries and 0.1 for low-income countries. In terms of markets share in information technology, it is estimated that the US accounts for 34.7 per cent of the market, Europe around 29.3 per cent, Japan around 14.6 per cent, and the rest of the world 21.4 per cent.

These differences are even more striking in the figures for data transmission, the spread of Internet servers and the number of users.

15. Financial Requirements: According to the World Bank, to bring the average level of African teledensity to that of Southern Europe, \$ US 50 billion would be required. International financial assistance is expected to cover around 5 per cent of these needs. Given the scarcity of financial resources in most developing countries, the majority of their infrastructure needs in telecommunications can only be expected to be financed from three sources, namely: increased development assistance, foreign investment and additional revenues emanating from the use of such infrastructure. As far as the use of infrastructure is concerned, electronic commerce and its use by smaller firms in particular, becomes of strategic importance to generate what can be considered a 'virtuous circle of development'.

16. The advent of the Internet as a global tool for collecting, disseminating and exchanging information is making a tremendous impact. Recent developments in global network technology and graphic-based Internet applications facilitate the transmission of all kind of data in a fast and relatively inexpensive way. The Internet offers a low cost alternatives to existing networks and traditional ways of producing, transmitting and using information. It will affect trade through electronic commerce and will change the way in which a number of human activities are done through providing the locus for convergence between telephony, data transmission and broadcasting. The Internet is a tool that can expand intellectual activity worldwide and provides an opportunity for greater sharing of knowledge. It can lead to a fairer distribution of information, one of the primary resources of the next century. This environment provides the potential of huge benefits and lower barriers to entry provided that the right approach is followed both at the national and international levels.

#### IV. CHALLENGES AND OPPORTUNITIES

17. In addition to the challenges and opportunities outlined in the previous section in relation to the technological situation, one of the major opportunities that may be achieved through electronic commerce in developing countries is due to its low price/power ratio, and its interactive nature. Developing countries could disseminate their own information in a more effective manner through electronic commerce. It will allow firms and new entrants to extend their reach beyond what was previously possible. This may be particularly useful to SMEs since it provides a low cost means to approach potential customers worldwide. It has also been argued that the Internet can act as the "great equalizer" by allowing firms to compete on equal footing. However, there are numerous challenges that we have to face at the national and international levels to enable developing countries to effectively use electronic commerce and take advantage of the benefits that it may provide.

18. There is a real fear that if the necessary steps are not taken this mode of trade may remain beyond the reach of many developing countries. One of the main advantages of electronic commerce is the speed with which business transactions can take place. However, this speed will be meaningless if the physical infrastructure is inadequate. This will require a parallel consideration of infrastructure needs as well. Furthermore, the current trade of developing countries, particularly products that may be transmitted digitally, can be diverted if they do not participate actively in electronic commerce as early as possible in the process. The current gap between developed and developing countries will widen as a result of rapid change if concerted action is not taken. The need to avoid further widening of the gap separating the developed and developing countries is a concern that is widely recognized and has been expressed both by developing as well as by developed countries on numerous occasions.

19. This was eloquently stated in a speech by President Martti Ahtisaari, the President of Finland, at a conference on "Dismantling the Barriers to Global Electronic Commerce" that took place in Turku, Finland, on 20 November 1997, where he said: "We must prevent the present technology

gap from becoming a permanent additional divider between the wealthy North and the poor South. We must also help developing countries to partake of the benefits of new technology."

20. The need to narrow the gap between the north and the south is both important and urgent and will be beneficial to both developed and developing countries. This is because, assuming the basic infrastructure is in place, once global information networks are built the marginal cost of additional users will be insignificant while the benefits to and contribution of new entrants are immense. Furthermore, global information networks would not be truly 'global' if a significant part of the world is not involved. This would also represent a sizable collective loss to the growth and development of the global economy.

21. One of the challenges facing developing countries in particular in relation to electronic commerce is how to create a conducive policy environment that would maximize the benefits of electronic commerce without compromising legitimate public policy objectives. For example, access, information technology and services related to electronic commerce may not provide optimal results from a social perspective if determined solely by market forces. Internet services are beyond the means of the majority of the populations of developing countries. There may be significant benefits from providing facilitated or even subsidized access to information and information infrastructure for specific population groups, such as the poor, the elderly or the handicapped. This will also serve to reduce the gap between those with the necessary skills and access that allows them to profit from new opportunities and those who lack such prerequisites. How to achieve equal opportunity and broad based access for users will be a difficult challenge facing developing countries. Moreover, there are other numerous policy areas related to electronic commerce in which governments will have to weigh various public policy objectives.

## V. ELECTRONIC COMMERCE AND THE IMMEDIATE NEEDS OF DEVELOPING COUNTRIES

22. Electronic commerce is expected to grow at a rapid pace in the years to come. Forecasts of this growth vary widely and are mostly of a speculative nature. Numerous analysts predict the growth of electronic commerce by a factor of ten by the year 2000. It is also estimated that international trade through the Internet will reach US\$60 billion by the year 2001. The Global Information Infrastructure Commission (GIIC) quoted a recent report produced by ActivMedia in July 1997 indicating that overall movement to on-line commerce may bring network generated revenues to US\$1 trillion by the year 2001. Despite their speculative nature, these figures illustrate the trend towards a growing importance of electronic commerce.

23. Electronic commerce is currently conducted using a combination of means of communication (the Internet, private networks, telephone, fax, mail, etc.). It would be very difficult, and probably unnecessary, to obtain accurate statistics on the importance of the various modes of communication in a commercial transaction. However, as electronic commerce becomes more reliable and governed by clearer rules and practices, more and more transactions will be relying exclusively on various electronic networks in the completion of various stages of the trade transaction. An UNCTAD publication indicated that a survey in March 1997 by CommerceNet/Nielsen found that whereas 54 per cent of Internet users in the US and Canada used the Internet to reach a decision on a purchase, only 15 per cent carried out the final transaction on the Internet.

24. It has been reported that the volume of electronic commerce has expanded dramatically in a few developed countries affecting diverse sectors of activities in the area of trade in goods and services. There is a need to identify areas and sectors where electronic commerce will gain importance. Some of the sectors referred to in the literature include: financial services (insurance, banking, brokerage, currency trading, etc.); travel and ticketing; entertainment; music; advertising

and marketing; information services (collecting and disseminating information); education and training; media (newspapers, magazines, news services, etc.); other services (like medical services, real estate services, legal services, architectural services, business services, etc.); retailing in books, flowers, computer software and hardware, highly specialized and other products.

25. It is obvious from these areas that electronic commerce will extend the scope of what may be considered tradable. Through electronic commerce some new services will soon become tradable across borders. Any good or service that may be provided in digital form can probably be traded electronically across borders. These products should be identified on a continuous basis. It is quite important to analyze how electronic commerce has penetrated different sectors and why. Analytical work on these issues is just beginning. It should be encouraged in order to enable governments and businesses to understand the trade, economic and developmental impact of these developments. It will also be of vital importance to strengthen the capacity of developing countries to participate in electronic trade in these sectors especially since the impact of electronic commerce may be significant and relatively fast. Firms in many sectors will soon realize that cost savings from the use of electronic commerce and the opportunities that it provides will be necessary for them to maintain competitiveness.

26. A large portion of the trade on the Internet is in business-to-business trade and not in consumer sales. This mirrors the current level of trade in the world today where business transactions are around ten times as much as consumer sales. It has been reported for example that General Electric is doing US\$1 billion annually with 1400 of its suppliers through its Trading Process Network (TPN) website. It lowered the cost of business between 5 per cent and 20 per cent with 15 per cent of the orders crossing borders. It is worth mentioning that the main benefits to General Electric resulted from their calls for tenders and subsequent bidding by suppliers electronically. However, not many business websites are currently designed to accommodate direct sales but are rather designed for marketing and customer services.

27. It has also been reported that firms in developed countries faced various difficulties in relation to electronic commerce. Some firms found that the actual cost of setting a business on the Internet tended to be much higher than they originally anticipated. Other difficulties that were reported on the use of electronic commerce in firms in developed countries were: organizational inflexibility, it was not considered a priority by management, the usual complications associated with change, and training.

28. Enhancing developing countries' interest for and participation in electronic commerce will require concerted efforts, at the policy, the analytical and the technical level.

- It will be necessary to establish a conceptual/policy platform reflecting the interests and specificities of developing countries in a global framework for electronic commerce. The US, the European Union, Japan and other developed countries have recently completed policy papers on how to establish a global framework for electronic commerce. These papers contain very little about the role of developing countries in designing, establishing and implementing such a framework. These major trading partners have a global responsibility and should consider the role that they should play to enable developing countries to cope with this important area in order to enhance the participation of these countries in international trade in goods and services including through electronic commerce. Developing countries need to become fully aware of the current thinking and the policies contemplated in these areas and should be assisted and given the opportunity to participate effectively in policy discussions at the international level since developments in electronic commerce will most probably affect their own trade.

- It is also necessary to support developing countries' hands-on approach to electronic commerce. Many developing countries have already started efforts in this area. This has been achieved with the support of UNCTAD largely through the trade point programme, and ITC largely through its pilot project of virtual exhibition. The Global Trade Point Network (GTP-Net) was officially launched by the Secretary-General of the UN at the UN International Symposium on Trade Efficiency (UNISTE) that took place in Columbus, Ohio in October 1994. According to UNCTAD, since then the number of trade points has doubled. There are currently 132 trade points at different stages of development and major achievements have been made in the technological advancement of the Network.

29. The UN Trade Point Development Center (UNTPDC) that has been hosted by the Royal Melbourne Institute of Technology in Australia since 1995 has been responsible for the development of innovative tools and interfaces used by GTP-Net including the Electronic Trade Opportunities (ETOs) system (ETOs are electronic trading opportunity messages sent in a format that allows easy retrieval and database management independent of hardware, software or communication media and hence can be disseminated world wide at a very low cost).

30. UNCTAD statistics indicate that over 2 billion ETOs were distributed since 1993. An estimated 8 million companies in 173 countries received ETOs. Around 3 million ETOs are transmitted daily through electronic mail and with around 1.4 million daily hits, the UNTPDC ETO switch is among the world's top 20 sites (Lsoft statistics, December 1997).

31. A recent survey conducted by UNCTAD on the users of ETOs found that 65.3 per cent of the users are traders. Public sector users are around 10 per cent of the total users. The survey found that 27 per cent of the users have concluded transactions using ETOs. The value of reported transactions were as follows: 47 per cent between US\$1,000 and \$10,000; 17 per cent between \$10,000 and \$50,000; 13 per cent between \$50,000 and \$100,000; 13 per cent between \$100,000 and \$1,000,000; 10 per cent above \$1,000,000. The number of responses received for ETOs were as follows: 69 per cent received 1-10 responses, 16 per cent received 11-30 responses, 4.5 per cent received 31-100 responses, 9.1 per cent received 101 and above.

32. Recently Trade Points have extended their operations from the pre-transactional to the transactional stage where contracts can be signed and payments made. UNCTAD indicated that presently a secure intranet link - the Secure Electronic Authenticated Link (SEAL) - is operating by Australia, China and the US.

33. However, there are a number of difficulties that are associated with the functioning of trade points. The difficulties cited by various developing countries include:

- absence of adequate telecommunication infrastructure;
- poor quality and high cost of telecommunications;
- financial constraints in the establishment and operation of trade points (major obstacle to LDCs);
- lack of funds hinder investment in technology and the development of the trade point services as well as the development of human resources;
- a very limited number of countries have experienced some difficulties in structuring and classifying ETOs and in building a customer base;
- limited availability of resources for technical assistance and training needs in various related areas;
- technical difficulties associated with issues like cost recovery where developing countries need to learn from the experience of others specially from countries where

trade points function as private service providers as to how to calculate the price of the information provided and how to perform the role of information brokers.

34. According to the International Trade Center (ITC), developing countries are using the Internet extensively for E-mail communication, but many of them are facing difficulties in loading documents, databases, graphic presentations and pictures on the world wide web which require large bandwidth, high speed modems and telephone lines. Developing countries need assistance in the effective use of the Internet as a new marketing media to support the development of their trade.

35. For many products marketing is done through specialized sector specific exhibitions. These are used by new entrants as well as by established producers. However, participation is very expensive and presents various difficulties to producers from developing countries. A less expensive alternative is the participation in virtual exhibitions. This still requires a high level of expertise; that is lacking in most developing countries- in order to know how to present products, how to approach markets and establish and retain trade contracts and consumer confidence.

36. Developing countries will also require assistance to help them put their information on the net. We need to know how much trade related information on the net originates from developing countries. This should be monitored continuously and could be considered as one of the factors that can contribute to the evaluation of the progress of enhancing the role of developing countries in electronic commerce. Innovative ideas to assist developing countries and SMEs should be considered in this area. This may be achieved, for example, through pilot projects which would demonstrate to them the benefits of electronic commerce. These projects need to be evaluated and their economic implications assessed. SMEs and other firms could also start by joining a specialized web page such as those through the ITC. Then they may be able to join a national or international specialized web page. Firms in developing countries should be helped to assess the potential costs and benefits of electronic commerce.

37. Developing countries will also require assistance in establishing the regulatory framework that would be conducive to the development of the information society and in raising awareness of the public and the private sector of the significance of electronic commerce. International cooperation will be necessary in facilitating access to information and to the global information infrastructure, in promoting the transfer of technology in information technology, in the participation of developing countries in research and development activities in related areas as well as in measures to foster dialogue and partnerships between developing and developed countries, both governmental and private, in the area of electronic commerce.

38. If electronic commerce were to become of significant importance, as expected, we have to ensure that the infrastructure in developing countries, both human and physical, is capable of supporting its development.

## VI. POLICY ISSUES RELATED TO ELECTRONIC COMMERCE

39. There are numerous policy issues that are related to electronic commerce. They may be classified in three broad areas: financial, legal and access issues. These include: issues of payments, taxation issues, certification of documents, confidentiality and privacy, encryption, intellectual property, consumer protection, access to infrastructure and other access issues, etc.

40. Some of these policy issues do not fall within the purview of the WTO and others are addressed by a number of international organizations. Nevertheless, it would be useful to uprise WTO members of the latest developments in these policy areas and address the role of the WTO, if any, in areas where it may make a useful contribution. However, it is worth confirming that



regardless of where issues are being considered, international cooperation in dealing with various policy and regulatory aspects in relation to electronic commerce will be indispensable.

41. It would also be useful for WTO members to become aware of the policy frameworks that are being adopted in several developed countries in relation to electronic commerce particularly policies that may affect the trade interests of developing countries.

## VII. RELATED ACTIVITIES IN THE WTO AND IN OTHER INTERNATIONAL ORGANIZATIONS

42. A number of WTO agreements and instruments are related in some way or another to relevant areas in electronic commerce including GATs, basic telecommunication, financial services, TRIPs, the Agreement on Customs Valuation, the Agreement on Technical Barriers to Trade, etc. Moreover, the General Council has recently adopted a decision on the supply of information to the integrated database for personal computers. WTO is also working on a joint project with the World Bank to help developing countries understand and use the rules and mechanisms of the WTO through the use of information technology. Furthermore, the High Level Meeting on LDCs also welcomed the WTO's commitment to provide LDCs members with computers equipment and the know-how to access the information provided on the WTO web site by 1998. We firmly believe that stronger organic links should be established among the areas of WTO competency which are of immediate relevance to discussions on electronic commerce.

43. UNCTAD has numerous activities including a substantial programme dealing with trade points that is directly related to electronic commerce issues. Its ASYCUDA programme, currently implemented in the customs of over 80 countries, is a worldwide network using information technology to cut customs clearance time and costs. This system can link enterprises electronically to their customs administrations. Furthermore, the system is being expanded to allow it to interface with banking networks and with information technology systems along the complete transport chain including UNCTAD's Advance Cargo Information System (ACIS). It can thus become a comprehensive information system to allow for the full use of the potentialities of electronic commerce.

44. UNCTAD is currently organizing a conference entitled "Partners for Development" that will take place in November 1998 in Lyons, France. It is expected that the conference will launch a number of partnerships involving UNCTAD in the area of electronic commerce with national and local governments, hardware and software firms and network operators. Some of these partnerships are relevant to the WTO's work programme.

45. ITC has been active in helping firms from developing countries in marketing their products using virtual exhibitions. The initial project on artisanal products is being extended to other sectors. UNCITRAL has completed work on a model law establishing elements of rules and norms related to electronic commerce. Other international organizations are also active in this area like WIPO, ITU, UN regional economic commissions, etc.

46. A number of organizations are and will continue to deal with various aspects related to electronic commerce. These organizations should strengthen their contribution to enhancing the level of participation of developing countries in current and future discussions on electronic commerce. This can be done through enhancing awareness and knowledge, offering assistance for a hands-on approach to electronic commerce, and strengthening inter-institutional cooperation in technical assistance and support. Cooperation among international organizations dealing with issues related to electronic commerce should be enhanced in order to deal with this issue in an effective manner and to reflect its evident inter-sectoral nature.

47. Many technical assistance activities in the area of trade are being organized in support of developing countries by numerous international organizations and through bilateral cooperation. A challenge to both the providers and the recipients of such activities is how to integrate information technology in these ongoing activities and programmes.

48. There is a need for WTO members to become informed of the activities of other organizations related to electronic commerce and in the use of information technology in the area of trade. We believe that it would be useful for WTO members to be able to have a comprehensive and a more coherent view of the activities of different organizations in this area. This would contribute to a better understanding of the situation and help in the identification of the best approach to achieve the identified objectives. Coherence, transparency, coordination and avoiding duplication as much as possible should be our guiding principles in this endeavour.

### VIII. SPECIFIC PROPOSALS FOR FUTURE ACTIVITIES

49. In conclusion, a number of specific proposals are herewith presented for the consideration of the CTD in order to contribute to the achievement of the objectives that were identified in this paper:

- To request the WTO Secretariat to prepare a factual paper on WTO provisions and activities that are most relevant to electronic commerce;
- To request the WTO Secretariat to prepare an analytical paper on how to enhance the participation of developing countries in electronic commerce and the use of information technology in the integration of developing countries in the MTS. This paper should build on the work done by other organizations in this area and in particular the work of UNCTAD and ITC and have as one of its main components the assistance requirements for developing countries in this regard;
- To request the WTO Secretariat to communicate with relevant international organizations to provide the CTD with information on their activities in areas closely related to electronic commerce;
- To convene a special session of the CTD to address the issue of electronic commerce and its implications for development in developing countries with the participation of the relevant international organizations in order to provide an opportunity for them to present their activities in this area;
- To request the WTO Secretariat to organize a joint seminar with UNCTAD and ITC to allow for a better understanding of the issues involved in electronic commerce focusing on their development implications.