

Services e-commerce in the WTO

- **Services matter for e-commerce.** Sectors such as communication, computer, advertising, distribution, financial, postal and courier and transportation services form the backbone of the e-commerce "supply chain".
- Given the importance of services for e-commerce, **services trade policies** in e-commerce enabling services have a significant impact the development of the digital economy
- Existing **WTO rules already apply to services e-commerce**, and specifically the General Agreement on Trade in Services (GATS).¹ Under the GATS, WTO Members may, for instance, take legally binding market opening commitments in sectors that may be conducive to greater digital connectivity. The Agreement also contains rules on telecommunication services that are of particular relevance to e-commerce, notably the telecommunications Reference Paper.² Finally, GATS commitments may be used to guarantee temporary access for certain categories of foreign individuals supplying services, including in relation to e-commerce.
- So far, however, WTO Members have made **uneven use** of the possibility of binding their e-commerce related services trade policies in GATS commitments.
- **E-commerce matters for services.** Technological advances have enhanced the cross-border tradability of many services, particularly information-intensive ones. Therefore, in addition to being enablers of e-commerce, services and services trade are also enabled by digital technologies.
- **Discussions on services e-commerce in the WTO are proceeding along two tracks:** at the multilateral level, in the Council for Trade in Services (the body that oversees the functioning of the GATS),³ and plurilaterally in the Joint Statement Initiative (JSI) negotiations.
- In terms of the JSI negotiations, **three** of the issues on the table deal **specifically with services trade**.
- First, greater **services market access**. In this regard, proponents are seeking improved commitments in a number of services sectors, essentially those that enable e-commerce.
- Second, one proposal is aimed at facilitating the temporary movement of **e-commerce related personnel** associated with the establishment of a commercial presence.
- Third, some Members suggest updating the disciplines of the **telecommunications Reference Paper** in various respects.
- In addition to these three services-specific aspects, it is important to bear in mind that several of the **other issues** being negotiated in the JSI have services trade relevance.
- At the end of 2021, the three co-conveners of the JSI negotiations (Australia, Japan and Singapore) provided an account of the **progress made so far in the negotiations**.⁴

¹ [S/L/74 \(wto.org\)](https://www.wto.org)

² [WTO | Services: Telecommunications - Negotiating Group on Basic Telecommunications 24 April 1996](#)

³ The latest Annual Report of the Council for Trade in Services' activities is [GATS/SC/62 \(wto.org\)](https://www.wto.org)

⁴ [ji_ecom_minister_statement_e.pdf \(wto.org\)](#)