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DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY
COMMITTEE ON CONSUMER POLICY

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**DELIVERABLES TO BE PRESENTED AT THE OECD MINISTERIAL
CONFERENCE "A BORDERLESS WORLD: REALISING THE POTENTIAL
OF GLOBAL ELECTRONIC COMMERCE"**

The attached document has been circulated to the ICCP Committee as document DSTI/ICCP(98)4. It is submitted to the Committee on Consumer Policy for information.

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**DELIVERABLES TO BE PRESENTED AT THE OECD MINISTERIAL CONFERENCE
“A BORDERLESS WORLD: REALISING THE POTENTIAL
OF GLOBAL ELECTRONIC COMMERCE”**

1. The present document lists the various elements that are expected to be presented at the OECD Ministerial Conference “A Borderless World: Realising the Potential of Global Electronic Commerce”, organised in close co-operation with the Canadian Government. The conference will take place in Ottawa, Canada on 7-9 October 1998. The items listed cover work on-going in different parts of the organisation, including DSTI, DAFFE and CERI. They are components of the entire deliverable package, and as such, some of them may be presented individually, while others may be repackaged. The list is a tentative one, in the sense that whether an element will be ready depends to a great degree upon the progress that will be made, and the negotiations that will occur from now until the end of the summer. It is also possible that other Directorates might wish to add to the contribution. A tentative timetable for work is provided as Annex 1.

2. The current list of elements can be divided into three broad categories:

- **Horizontal Products:** These include the Action Plan and the Communiqué. The Action Plan describes current work underway or planned to dismantle some of the barriers confronting electronic commerce. The Communiqué/Summary will be prepared beforehand and presented in its draft version, to be revised on-site.
- **Action Items:** Items in this category will be prepared well in advance, agreed upon at the expert and/or Committee levels and presented to the Council in September at the latest, prior to submission to Ministers for their endorsement. Areas where Action Items are expected are: Taxation, Protection of Privacy, Consumer Protection, and Electronic Signature.
- **Background Documents:** These documents will be tabled at the conference as information/background papers, either because negotiations on those issues are not mature enough to be considered at a Ministerial level (Authentication and Certification, Cryptography, and Access issues), or because they present issues of concerns for Ministers but is unlikely to become an Action Item because of its nature (Economic Impact Study, Educational Software). In addition, the Secretariat will prepare an Overview document as well as a Discussion Document as background materials. It is possible that other Committees/Directorates of the Organisation might table additional documents that would fall in this category.

3. It is envisaged that there will be a Minister’s reading package which will consist of the Discussion Document, Action Plan and the Draft Communiqué.

4. The descriptions of individual elements are as follows.

Horizontal Products

Action Plan: This item will outline current work underway to dismantle some of the barriers confronting electronic commerce as well as future work in the area that would still need to be undertaken, and suggest responsibility assignments to private and intergovernmental

international bodies including the OECD. A schedule for the completion of individual work might be suggested in this document as well. This document will be prepared by DSTI, in collaboration with other parts of the Organisation, business organisations and other international organisations.

Communiqué: A draft of the Communiqué of the conference will be presented to Ministers for their consideration. The Communiqué is to include all the Action Items to be endorsed by the Ministers, as well as the mention of pending issues, in the context of the Action Plan. A drafting team consisting of member countries' officials and Secretariat staff is to be formed to provide a Draft Communiqué.

Action Items

Taxation: The draft of "framework conditions" in the area of taxation will be considered by the Committee on Fiscal Affairs (CFA) at their June meeting. This draft will have been prepared after consultation with private sector representatives and under the guidance of four members of the Bureau of the CFA. The framework conditions will be revised and further developed and resubmitted under written procedure for CFA level endorsement before being submitted to the Council in the third week of September. DAFPE-FA (Fiscal Affairs) is responsible for this deliverable.

Protection of Privacy: Following upon conclusions from the February 1998 Privacy Workshop which called for continuing international co-operation in the field of privacy protection in the global information society and in the context of electronic commerce, a proposal for work in the area of privacy protection will be considered by the ICCP Committee at its 33rd session on 26-27 March 1998. Pursuant to decisions taken by the ICCP Committee, a supplementary memorandum to the 1980 OECD Privacy Guidelines -- *based on a survey of privacy instruments and their implementation online* -- could be drafted by an Ad hoc Group of Experts to provide guidance or standards for effective implementation of the Guidelines on global networks utilising a range of instruments. The goal of the supplementary memorandum would be to provide guidance toward practical solutions for seamless privacy protection in the global networked society. The memorandum could be adopted, as a supplement to the 1980 Recommendation, by the ICCP Committee and the OECD Council at their meetings in September 1998. DSTI-ICCP is responsible for this deliverable.

Consumer Protection: A number of issues affect consumer confidence in the security, safety and reliability of the electronic marketplace. In response to these concerns, the Committee on Consumer Policy (CCP) is developing guidelines on "Consumer Protection in a Global Networked Society." The guidelines will focus on the basic principles necessary to build consumer confidence and provide consistent means of consumer protection in the electronic marketplace. The guidelines will also take into consideration the role of government, the private sector and consumer organisations in developing a harmonised response to the challenges posed

by global networks. The guidelines will be presented to the full Committee for adoption (3-4 September) and then to the Council during the third week of September. DSTI-ICCP is the responsible Secretariat body for this deliverable.

Electronic Signature: A proposal for a "Declaration on Electronic Signatures" will be considered by the ICCP Committee at its 33rd session on 26-27 March 1998, and the Group of Experts on Information Security and Privacy (GESP) at its meeting on 18-19 May 1998. Pursuant to decisions taken at these meetings -- and based on text proposed by the Canadian Delegation [DSTI/ICCP(98)12] which could form the basis for the Declaration -- the GESP may undertake to finalise the Declaration over the summer months. The Declaration could be adopted by the ICCP Committee and the OECD Council at their meetings in September 1998. The goal of the proposed Declaration is to encourage and promote secure electronic commerce, including transborder electronic commerce, by the removal of certain regulatory and legal barriers. DSTI-ICCP is the responsible Secretariat body for this deliverable.

Background Documents

Overview: Work on electronic commerce is conducted throughout the OECD. This document will provide an overview of OECD's work, including summaries of recent, ongoing and planned work in this area. This document will be prepared by DSTI with inputs from other Directorates working on electronic commerce issues from their own perspectives. An Annex, prepared by DSTI in collaboration with other international public and private sector entities, will provide a comprehensive set of links and references to other international initiatives in this field.

Discussion Document: As an update to the discussion document provided at the Turku Conference in November 1997, the Discussion Document will be an easy to read document that will provide Ministers and other participants with the major policy issues that surround electronic commerce, listing the proposed solutions. In this context, the main points of each deliverable will be provided. This document will be prepared by DSTI-ICCP.

Authentication and Certification: The paper "Inventory of Approaches to Authentication and Certification in a Global Networked Society" will look at activities related to authentication and certification on global networks, including laws, policies and initiatives in the public and private sectors, and at both the national and international level. A discussion paper will accompany the inventory to provide analysis of issues raised by the inventory, seeking specifically to clarify terminology, and to identify obstacles to achieving interoperability. (The report may include a proposal for future work in this area, in particular a proposal for Guidelines [related to the international aspects of interoperable authentication] to be drafted during 1998-99, which could be endorsed by Ministers in Ottawa.) DSTI-ICCP is the responsible Secretariat body.

Economic Impact Study: The analytical report "Electronic Commerce and the Information Society" will be drafted in response to Member countries' request that there needs to be an analysis of the impact of electronic commerce on the society and economy as a whole, in particular with regard to employment. The study will be under the responsibility of the OECD with a significant contribution made by Industry Canada. Within the OECD Secretariat, DSTI-ICCP will be primarily responsible for the drafting, although input from other parts of DSTI as well as from other directorates (ECO, DELSA, ECH) will also be sought.

Access Issues: The report “Access to and Use of Information Infrastructures for Electronic Commerce” will focus on the development and relevant policies for communication infrastructures as they impact on the development and diffusion of electronic commerce applications. It will emphasise the role that communications infrastructures and their regulation have in ensuring the growth of electronic commerce and the necessity to change regulatory practices to accommodate this growth. Issues dealing with furthering communication infrastructure competition, market access, interconnection, and Internet traffic exchange, efficient pricing, and addressing systems will be examined. The report will be submitted to the TISP Working Party, and the ICCP Committee before being sent to Council. DSTI-ICCP is responsible for this report.

Cryptography: The paper “Inventory of Controls on Cryptography Technologies” presents a compilation of laws in OECD Member countries concerning cryptography technologies, focusing on domestic controls, and import or export restrictions. A discussion paper that will accompany the inventory will include analysis of the various Member country policies. (The report may include a proposal for future work on legal standards for the use of cryptography in the context of specific commercial applications to be conducted during 1998-1999, which could be endorsed by Ministers in Ottawa.)

Educational Software: A paper on New Developments in Educational Software (DEELSA/ED/CERI/CD(98)2) will be discussed by the Education Committee and the CERI Governing Board end of March 1998 and following the outcomes of these discussions a detailed proposal of a deliverable on educational software for the Ottawa Conference will be developed.

ANNEX 1. OVERVIEW OF THE WORKING SCHEDULE OF DELIVERABLES

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Elements listed below are separated for planning purposes. They may be repackaged together in a final form. Shaded areas represents meetings.

Deliverable	Jan-98	Feb-98	Mar-98	Apr-98	May-98	Jun-98	Jul-98	Aug-98	Sep-98	Oct-98
Action Plan			First draft circulated within the Secretariat						17-18 ICCP Ctee - submission for information 24 Council - submission for approval	
Communiqué			First draft to be prepared by the Secretariat in co-operation with Canada						17-18 ICCP Ctee - submission for information 24 Council - submission for approval	
Taxation "Framework Conditions"	20-21 CFA	6 Meeting of Secretariat with EC Brussels	26 WP8 (Tax Evasion) - Cybertax Group 31-3 Consumption Tax Electronic Commerce project team and private sector representatives	15-17 WP6 (Multinationals and Transfer Pricing) and private sector representatives 20-22 ECTA and private sector 30-1 CFA	4-6 Forum on Strategic Management - Sydney 13-15 WP1 (Model Tax Convention) and private sector - Washington	10-12 : Joint Meeting of Consumption Tax Electronic Commerce Project group. ECTA and banking, finance and electronic payment systems community rep. 15-19 : 1st draft of framework conditions, for consideration by CFA by end June		- Advisory note on Framework Conditions to Council (tbc)	9-10 Meeting of ECTA to prepare final framework conditions - London Parallel process of CFA approval and 24 submission to Council Submission of Framework Conditions for Ministerial consideration (tbc)	6-7 Taxation roundtable with Business - Ottawa Framework Condition to be delivered at the Ministerial
Consumer Protection "Guidelines on Consumer Protection in a Global Networked Society."	15 A first draft of the Guidelines to first-line reviewers. 28 Draft guidelines made available to the Project Team - Comment and electronic discussion on these guidelines (3 weeks)	23 Conclusion of three week discussion period on guidelines.	11 Revised draft of the guidelines 18 Project Team mtg. 19 Extended CCP Bureau mtg.: draft informally circulated 23 Revised draft distributed formally to full CCP		1 Formal round of comments to end. Secretariat to revise draft guidelines.	15 Revised draft distributed formally to the full CCP Committee in both languages	10 Formal round of comments to end. Secretariat to revise draft guidelines.	10 Revised draft formally sent to CCP Delegates in two languages	3-4 CCP mtg. for full adoption of Guidelines 22 Guidelines to be presented to the Council Executive Committee 24 Guidelines to be presented to the Council.	Guidelines to be delivered at the Ministerial

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Deliverable	Jan-98	Feb-98	Mar-98	Apr-98	May-98	Jun-98	Jul-98	Aug-98	Sep-98	Oct-98
Privacy "Supplementary Memorandum to the 1980 OECD Privacy Guidelines"			26-27 ICCP Cttee - consider proposal for future work including survey of instruments and application and creation of Ad Hoc group to oversee work	Per discussion of ICCP, work on survey re privacy protection instruments and applications	18-19 GESP mtg. - progress report on privacy survey	June-August per decision of ICCP, Ad Hoc group examines results of privacy survey, undertakes work on supplementary memo to 1980 guidelines (which could be endorsed by Ministers)			17-18 ICCP Cttee - consider work of ad hoc group and derestrict 24 work to be presented to the Council	
Electronic Signature "Declaration on Electronic Signatures"			26-27 ICCP Cttee - considers proposed text "Declaration on Electronic Signatures" (based on the Canadian proposal)	Proposed text of Declaration distributed for 18-19 May mtg. of GESP	18-19 GESP mtg. -- consideration of Canadian proposal Start work (written procedure derestriction during the summer)				17-18 ICCP Cttee - adopt Declaration for delivery to Ministers in Ottawa 24 Council - Declaration to be adopted	
Overview			Drafting intro starts; request for input other Directorates; request info. other int. orgs. starts.	Deadline receipt of input.	Draft circulated for 1-week comment. Document to Translation; to Committees for information.	Updating and send to printer E/F.		1-week comment period for last updates		
Discussion Document						Based on drafts of other documents to be tabled at Ottawa, start drafting process.			17-18 ICCP Cttee - submission for information 24 Council - submission for adoption	

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Deliverable	Jan-98	Feb-98	Mar-98	Apr-98	May-98	Jun-98	Jul-98	Aug-98	Sep-98	Oct-98
Authentication and Certification "Approaches to Authentication and Certification in a Global Networked Society"			Preliminary draft, Inventory of Approaches to Authentication and Certification - circulated, period for comments from national delegations	Input due from national Delegations and Invitations sent out. Revised inventory and discussion paper distributed for 18-19 May GESP meeting.	18-19 GESP mtg. -- discuss inventory and paper (and proposal for future work in this area -- Guidelines [or other] in 1998-99), to be endorsed by Ministers in Ottawa	Per discussion at GESP mtg., period for revisions of paper and develop agreement on future work (Guidelines [or other] in 1998-99), to be endorsed by Ministers in Ottawa			17-18 ICCP Cttee - consider work of GESP (declassify auth/cert paper, agreement on future work -- Guidelines [or other] in 1998-99, to be endorsed by Ministers in Ottawa	
Economic Impacts "Electronic Commerce and the Information Society"			13 Finalized Outline and Work Plan to Steering Committee Informal approach of External Peer-Group. 20 Official request to External Peer-Group	10 Workshop Logistics finalized and Invitations sent out. 27 Receive draft material from contractors. 30 Exchange initial drafts of sections which are ready amongst core team.	18 First rough draft completed and circulated to core team. 21 Written comments by core team 25 Core team teleconference on current draft and comments	1 1st draft with comments to core team and OECD Peer-Group 8 Discussion of draft by OECD Peer-Group 10 tele-conference 15 Distribute Final 1st draft to all participants of workshop. 29-30 Workshop - discussion and presentation of the Paper	20 Final English draft given to editing 27 Edited version goes to French translation 28 English version on OLIS (derestriction via written procedure, 3 weeks)	4 French-language comment period closes 14 French version placed on OLIS (derestriction via written procedure)	17-18 ICCP Cttee - final version that incorporates comments is tabled as a room doc 24 document presented to Council 25 document goes to printers 30 document sent to Canada	
Access "Access to and Use of Information Infrastructures for Electronic Commerce"			Drafting to begin				Finalize Background paper		14-16 TISP mtg. - approval 17-18 ICCP Cttee - approval 24 paper presented to Council	

Deliverable	Jan-98	Feb-98	Mar-98	Apr-98	May-98	Jun-98	Jul-98	Aug-98	Sep-98	Oct-98
Cryptography "Controls on Cryptography Technologies"			Preliminary draft, Inventory of Controls on Cryptography Technologies - circulated, period for comments from national delegations	Comments due from national delegations Revised Crypto Inventory, and discussion paper to accompany inventory - distributed for 18-19 May GESP mtg.	18-19 GESP mtg. - discuss crypto inventory and paper (and proposal for future work in 1998-99) to be endorsed by Ministers in Ottawa.	Per discussion at GESP mtg., period for revisions of crypto paper (and develop future work plan in 1998-99) to be endorsed by Ministers in Ottawa.			17-18 ICCP Cttee - consider work of GESP (derestrict crypto paper, agreement on future work in 1998-99) to be endorsed by Ministers in Ottawa.	
Educational Software			19 Document "New Developmental in Educational Software" discussed at CERI Governing Board 23 Document discussed at Education Committee	6 Small expert meeting	15 First draft of paper on Education Software Market	4-5 National Experts meeting on New Developments in Educational Software, Establishment of a Consultative Group on educational software market 30 Second draft of paper on Education Software Market	15 Two weeks electronic discussion in the Consultative Group	14 Third draft of Secretariat paper	10-11 High-level Forum (Stanford Univ.) on Production, Mediation and Use of Knowledge in the Information and Communications Sectors 18 Final version of the paper on the Educational Software market	

The above table is based on timelines submitted by individual groups responsible for the deliverables. A more detailed schedule is available.