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**OECD MINISTERIAL CONFERENCE
"A BORDERLESS WORLD: REALISING THE POTENTIAL OF GLOBAL
ELECTRONIC COMMERCE"**

OTTAWA, 7-9 OCTOBER 1998

**A GLOBAL ACTION PLAN FOR ELECTRONIC COMMERCE PREPARED BY
BUSINESS WITH RECOMMENDATIONS FOR GOVERNMENTS**

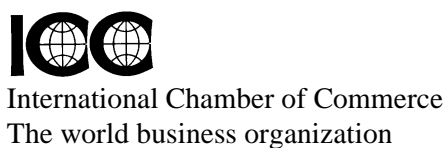
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FOREWORD

This document, prepared by the Business and Industry Advisory Committee to the OECD (BIAC) in co-operation with the organisations concerned and finalised following the incorporation of comments by Member countries, was tabled at the OECD Ministerial Conference, “A Borderless World: Realising the Potential of Global Electronic Commerce”, held on 7-9 October 1998 in Ottawa, Canada.



**A GLOBAL ACTION PLAN FOR ELECTRONIC COMMERCE PREPARED BY BUSINESS
WITH RECOMMENDATIONS FOR GOVERNMENTS**

A joint statement by:

Business and Industry Advisory Committee to the OECD (BIAC)

Global Information Infrastructure Commission (GIIC)

International Chamber of Commerce (ICC)

International Telecommunication Users Group (INTUG)

World Information Technology and Services Alliance (WITSIA)

Collectively, the coalition that produced this Global Action Plan represents the following organisations:

Asociace Pro Pora denstvi v Podnikani (APP) (Czech Republic)	Federation of Dutch Branch Associations in +Information Technology	Irish Business and Employers Confederation
Asociacion Espanola Empresas Informatica (SEDISI) (Spain)	Federation of German Industry (BDI)	Israeli Association of Software Houses (IASH)
Associação Industrial Portuguesa	Federation of Hellenic Information Technology Enterprises (Greece)	IT Association of New Zealand (ITANZ)
Association of the Computer Industry (PIKOM) (Malaysia)	Federation of Korean Information Industries (FKII) (Republic of Korea)	Japan Information Service Industry Association (JISA)
Associazione Nazionale Aziende Service Info. e Telematica (Italy)	Hong Kong, China Business Council of ICC	Keidanren - BIAC Japan (Federation of Economic Organisations)
ASUT (Switzerland)	ICA (US)	Konfederacja Pracodawcow Polskich (Confederation of Polish Employers)
Australian Chamber of Commerce and Industry (ACCI)	ICC Argentina	L'Association des Professionnels de L'Informatique de la Bur (Morocco)
Australian Information Industry Association (AIIA)	ICC Australia	Mongolian National Information Technology Association
AUTEL (Spain)	ICC Austria	Naeringslivets Hovedorganisasjon (Confederation of Norwegian Business and Industry)
Bangladesh Computer Samity	ICC Bangladesh	National Association of Software and Service Companies (NASSCOM) (India)
Bundesverband der Deutschen Industrie (BDI)	ICC Belgium	New Zealand Employers' Federation (NZEF)
Bundesverband Informationstechnologien (BVITeV) (Germany)	ICC Brazil	NORTIB (Norway)
Bundesvereinigung der Deutschen Arbeitgeberverbände	ICC Burkina Faso	Norwegian IT Association (KDL)
Canada Information Technology Association of Canada (ITAC)	ICC Chile	NTK (Sweden)
Canadian Council for International Business (CCIB)	ICC China	Singapore Federation of the Computer Industry (SFCl)
Canadian Council for International Business (CCIB)	ICC Colombia	Svenska Arbetsgivareföreningen (Swedish Employers' Confederation)
Chinese Taipei Business Council of ICC	ICC Cyprus	Sveriges Industriförbund (Federation of Swedish Industries)
CISA (China, Taipei)	ICC Denmark	Swedish IT-Companies Organisation Syndesmos Ellinikon Viomichanion (Federation of Greek Industries)
Computer Suppliers Association (COMSA) (Zimbabwe)	ICC Ecuador	Syntec Informatique (France)
Computing Services & Software Association (CSSA) (UK)	ICC Egypt	Teollisuuden Ja Työnantajain Keskusliitto (Confederation of Finnish Industries and Employers)
Confederacionde Camaras Industriales de los Estados Unidos Mexicanos (CONCAMIN)	ICC Finland	The Association of Thai Computer Industry (ATCI)
Confederacion Espanola de Organizaciones Empresariales	ICC France	Türkiye İşveren Sendikaları Konfederasyonu
Confederacion Patronal de la República Mexicana (COPARMEX)	ICC Germany	Turkish Confederation of Employer Associations (TISK)
Confederation of British Industry (CBI)	ICC Hungary	Türkiye Ticaret - Sanayi - Deniz Ticaret Odaları ve Borsaları Birliği (TOBB - Union of Chambers of Commerce, Industry, Maritime Commerce and Commodity Exchanges of Turkey)
Confederation of Industry of the Czech Republic	ICC Iceland	UK Telecommunications Managers Association (TMA)
Confederation of Netherlands Industry (VNO-NCW)	ICC India	UK Telecommunications Users Associations (TUA)
Confederazione Generale dell'Industria Italiana	ICC Indonesia	Union Patronale Suisse
Conseil National du Patronat Français (CNPF)	ICC Iran	Union Suisse du Commerce et de l'Industrie - Vorort
Dansk Arbejdsgiverforening (Danish Employers' Confederation)	ICC Ireland	United States Council for International Business (USCIB)
Dansk Industri (Confederation of Danish Industries)	ICC Israel	Vereinigung der Österreichischen Industrie (VÖI)
Fédération des Entreprises de Belgique (FEB-VBO)	ICC Italy	Vereniging VNO-NCW (Confederation of Netherlands Industry and Employers VNO-NCW)
Fédération des Industriels Luxembourgeois	ICC Japan	Vinnuveitendasamband Islands (Confederation of Icelandic Employers)
	ICC Jordan	
	ICC Mexico	
	ICC Morocco	
	ICC Nederland	
	ICC Norway	
	ICC Peru	
	ICC Portugal	
	ICC Saudi Arabia	
	ICC Singapore	
	ICC South Africa	
	ICC Spain	
	ICC Sri Lanka	
	ICC Sweden	
	ICC Switzerland	
	ICC Syria	
	ICC Togo	
	ICC Tunesia	
	ICC Turkey	
	ICC Ukraine	
	ICC United Kingdom	
	ICC Uruguay	
	ICC Venezuela	
	ICC Yugoslavia	
	Information Technology Association of America (ITAA)	
	Information Technology Association of Canada (ITAC)	
	Information Technology Association of New Zealand (ITANZ)	
	Information Technology Services Association (TIPAL) (Finland)	
	IPTC (UK)	

This Action Plan is supported by:

Alliance for Electronic Business (UK)
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 EU-Japan Industry Roundtable Working group on Electronic Commerce
 European Federation of Waste Management and Environmental Services (FEAD)
 Federation of European Direct Marketing Associations (FEDMA)
 Federation of German Industry (BDI)
 Federation of Korean Industries (FKI)
 French Freight Forwarders Association (FFOCT)
 German Electrical and Electronic Manufacturers' Association (ZVEI)
 German Information Technology Manufacturers' Association (FVIT)
 German Retail Federation (HDE)
 Global Internet Project (GIP)
 Indian National Association of Software and Service Companies (NASSCOM)
 Information Technology Association of Canada (ITAC)
 International Air Transport Association (IATA)
 International Council of Tanners
 International Express Carriers Conference (IECC)
 International Federation of Freight Forwarders Associations (FIATA)
 International Institute of Air and Space Law
 IT Association of New Zealand (ITANZ)
 IT&C Association of Romania (ATIC)
 Italian Association of Internet Providers (AIIP)
 Japan Information Service Industry Association (JISA)
 Japan-US Business Council
 Keidanren (Japan)
 Norwegian IT Association (KDL)
 Swedish IT-Companies Organisation
 Swiss Commission for Fairness in Commercial Communication (Schweizerische Lauterkeitskommission)
 The Caribbean/Latin American Action
 Trans-Atlantic Business Dialogue (TABD)
 TRUST-e
 Union of Chambers of Commerce, Industry, Maritime Commerce and Commodity Exchanges of Turkey (TOBB)
 Union of Industrial and Employers' Confederations of Europe (UNICE)
 United States Council for International Business (USCIB)
 US-Japan Business Council
 World Economic Forum (WEF)
 World Federation of Advertisers (WFA)

In cooperation with:

Association Européenne pour la Protection des Œuvres et Services Cryptés (AEPOC)

Association for Payment Clearing Services (APACS) (UK)

European Association of Advertising Agencies (EAAA)

European Brands Association

Internet Law and Policy Forum (ILPF)

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I. Introduction: rules-based commerce in a dynamic electronic environment

Background

The emergence of global networks has already begun profoundly to influence the way individuals interact with each other, businesses conduct their affairs, and governments provide services to their citizens.

As with traditional commerce, electronic commerce requires trust across the whole spectrum of users and providers of services and goods. The radical changes brought about by the emergence of open networks will in some instances require modifications to the existing framework of rules to assure this trust. In some cases new rules will be needed.

Today's commercial transactions are governed by a mix of laws enacted by government and of business self-regulatory instruments. Governments have long acknowledged the fact that a dynamic trading environment requires a cautious approach to regulation. They have traditionally welcomed business self-regulatory initiatives as the foundation of the rules governing commerce.

Self-regulation is not a new phenomenon. Throughout history, business has set its own standard rules and practices through a variety of organisations to lower transaction costs, to avoid and resolve conflicts, and to create consumer confidence.

The pace of change and nascent state of electronic commerce have heightened the risks associated with premature or unnecessary government regulation. This has increased the responsibility of business to promote a trustworthy environment through self-regulation and technological innovation. Business has a strong market incentive to foster the empowerment of users, but will only make the necessary investments if it can trust that governments will recognise and reinforce the leadership of business in responding to the highly dynamic nature of electronic commerce.

Whereas today's framework of rules has been developed and refined over many decades in an organic fashion, global rules for electronic commerce must be created on an accelerated basis. These rules must take into account the constantly evolving and inherently international nature of electronic commerce. Where government regulation is necessary, it should be internationally coordinated, as internationally incompatible national laws create a fragmented global market with significant uncertainty as to what rules apply. In addition, extraterritorial application of a country's laws - and claims for far reaching application of a country's regulatory schemes - poses a significant problem to business, users and consumers and is a threat to electronic commerce. Therefore, mutual recognition of regulatory schemes affecting electronic commerce (e.g., financial industry including capital and securities markets, financial services, insurance and banking, consumer protection schemes, taxes) is crucial. Jurisdiction, choice of law agreements, and enforcement issues must be dealt with urgently.

This document

Part II of this document establishes a set of fundamental principles as the basis for the framework in which policymaking for electronic commerce should take place. **Part III** presents a proposed framework for action that has been agreed by the world's leading international business organisations that are working together to provide business leadership, in cooperation with governments and others. The plan describes business actions and commitments in concrete terms and identifies business expectations of government action. It is proposed as a reference point for all relevant business and government organisations to contribute to the efficient and transparent development of the minimal rules necessary for a stable and predictable electronic commerce environment.

The action plan calls for a "hands off" approach by government on certain issues, whilst recognising that electronic commerce raises many important public policy considerations that may require governmental facilitation. Government intervention may be required in such matters as intellectual property protection, taxation, and the removal of barriers to competition in providing the underlying infrastructure (see Principle 2 in Part II below). However, in such matters as privacy and harmful content, business solutions such as self-regulation and technology tools are the preferred and more effective means than legislation to create trust in electronic commerce.

The objective of the action plan is to provide an inventory of fundamental business views on the issues that government must deal with and to give a clear overview of business action in those areas where market-driven, industry-led solutions are most likely to be found.

The action plan also responds to various high-level statements made by governments in recent years about the need for business to lead the development of electronic commerce. Business accepts this task and proposes this action plan as a mechanism for providing such leadership in a coordinated and transparent fashion.

As further evidence of the efficacy of this approach, **Part IV** of the document presents a sample compilation of successful self-regulatory solutions currently in use or being developed.

Finally, **Part V** describes the coalition of business organisations that collaborated in this work and gives a brief overview of each.

It is the intent of the authors that this document be a "living document" that evolves as electronic commerce implementation unfolds and provides experience and new evidence of successful projects. To this end, readers are invited to submit comments for improvement and, where appropriate, endorsements to:

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II. Fundamental principles

Business believes that a number of fundamental principles should shape the policies that govern electronic commerce, if the promises of electronic commerce are to be fulfilled. In this context, we provide the following Policy Principles for Global Electronic Commerce. We expect that these Principles may be extended as additional knowledge and insights are gained.

1. The development of electronic commerce should be led primarily by the private sector in response to market forces.
2. Government intervention, when required, should promote a stable, international legal environment, allow a rational allocation of scarce resources and protect general interest. Such intervention should be no more than is essential and should be clear, transparent, objective, non-discriminatory, proportional, flexible, and technologically neutral.
3. Mechanisms for private sector input and involvement in policy making should be promoted and widely used in all countries and international fora.
4. In recognition of the global nature of electronic commerce, government policies which affect it should be internationally co-ordinated and compatible and those policies should facilitate interoperability within an international, voluntary and consensus-based environment for standards setting.
5. Transactions conducted using electronic commerce should receive neutral tax treatment in comparison to transactions using non-electronic means. Taxation of electronic commerce should be consistent with established, internationally accepted practices, and administered in the least burdensome manner.
6. Regulation of the underlying telecommunications infrastructure, when necessary, should reduce impediments to competition, enabling new services and new entrants to compete, globally, in an open and fair market.
7. Participation in electronic commerce should be pursued through an open and competitive market.
8. The protection of users, in particular with regard to privacy, confidentiality, anonymity and content control should be pursued through policies driven by choice, individual empowerment, industry-led solutions, and should be in accordance with law where applicable.
9. Business should make available to users the means to exercise choice with respect to privacy, confidentiality, content control and, under appropriate circumstances, anonymity.
10. A high level of trust in the Global Information Infrastructure-Global Information Society (GII-GIS) should be pursued by mutual agreement, education, further technological innovations to enhance security and reliability, adoption of adequate dispute resolution mechanisms, and private sector self-regulation.

III. An action plan

This chapter aims to provide fundamental business views on:

- a) the main barriers to the development of electronic commerce
- b) solutions already developed by government and business
- c) the respective roles of governments and business, and, within that context –
 - actions business intends to take with respect to specific problems; and
 - actions business considers governments should take, and through which organisations.

1. *Building trust for users and consumers*

The protection of users, in particular with regard to privacy, confidentiality, anonymity and content control should be pursued through policies driven by choice, individual empowerment, industry-led solutions, and should be in accordance with law where applicable.

Business will make available to users the means to exercise choice with respect to privacy, confidentiality and content control.

Protection of Personal Information

Business action

Government action required

1. Privacy and transborder flows of data

Business endorses the principles set out in the OECD 1980 Guidelines for the protection of Privacy and Transborder Flows of Personal Data, and is committed to implementing fair information practices and transparent procedures consistent with these Guidelines.

Business uses model contracts and internal control procedures to satisfy the requirements of legislation restricting export of data to third countries that do not provide "adequate protection". Several new model contracts will be published and presented for endorsement to relevant authorities before 1999.

Governments should adopt a flexible and responsive approach to the protection of personal information, including the acceptance of self-regulatory solutions and technological innovations that empower the user.

Mutual recognition of existing procedures, laws and directives should be accomplished as soon as possible through international cooperation.

Different approaches to the protection of personal information should not prevent transborder data flows. In assessing the level of protection provided to personal information in other jurisdictions, the criterion should be the objective level of protection.

Business action

2. *Internet privacy*

Business is committed to work with governments to foster mutual recognition of culturally different but adequate regimes for protection of personal information in the digital environment

Business is developing, based on global marketplace experience, fair information practices that are consistent with the 1980 OECD Privacy Guidelines. It does so through self-regulation, voluntary codes and by making commercially available technologies, which enable a high level of privacy protection tailored to user needs and preferences.

In some countries, authentication of compliance to these industry policies for privacy protection is already provided by numerous consumer interest and security assurance institutions.

Business is reviewing existing self-regulation to ensure that they take into account new technologies and provide effective and credible privacy protection.

Government action required

Governments should recognise that the Internet is a new medium providing new opportunities and challenges. Regulatory and self-regulatory systems must be flexible in order to provide consumers with useful protection of their personal data and guarantee business's legitimate interests.

To that end, governments should:

- work with the private sector to adopt a flexible interpretation of existing regulatory solutions;
- recognise the validity and adequacy of effective self-regulation augmented by the use of privacy-enhancing technologies; and
- educate the public to use such privacy-enhancing technologies properly.

Consumer empowerment / marketing and advertising ethics

Within a freely functioning global electronic marketplace, increasingly sophisticated, user friendly tools and business practices for empowerment of consumers are being developed. Those retail Web-sites offering wide ranges of consumer choice and providing individualisation of the consumer experience are succeeding in gaining customer support. Allowing this free market to develop and expand globally, without government over-regulation, is essential to consumer empowerment.

	Business action	Government action required
1. Consumer empowerment	<p>Increasingly sophisticated empowerment tools for consumers will be developed to protect and empower consumers in a truly global marketplace.</p> <p>Consumer protection is an essential element of building trust in the online environment and is directly complementary to market principles of consumer service and satisfaction. Therefore, there is a business advantage to be gained by companies that safeguard consumer interests.</p>	<p>Consumer protection should develop from appropriate business/consumer platforms. Business, and interested parties, should be fully involved in international discussions to set policies for consumer protection.</p> <p>Governments have a major role in educating and empowering the public to enhance awareness of their responsibilities and ability to exercise choice with respect to their protection as consumers.</p> <p>The international legal community has only just started reviewing the many complex legal issues surrounding applicable law and jurisdiction in cyberspace. Any premature regulation mandating the law and forum of the country of destination for consumer transactions would seriously undermine the growth of electronic commerce, as compliance would be overly burdensome for all business and practically impossible for small and medium-sized enterprises.</p>

2. Marketing and advertising ethics

Business action

Business in many countries has a mature system of self-regulatory complaint mechanisms and cooperative enforceable self-regulation for advertising practices, such as industry or trade associations, chambers of commerce, better business bureaux. The concept of business self-regulation on marketing ethics continues to evolve to adapt to the online environment through international cooperation and agreement.

Business will continue to improve upon self-regulatory solutions for Internet advertising and market research. Business will establish appropriate international self-regulatory enforcement mechanisms for violation of such best practice rules, if existing mechanisms are deemed to be ineffectual.

Government action required

In the borderless global environment of the Internet, internationally incompatible national laws on advertising and promotions seriously impede cross border sales.

Governments should support self-regulation for Internet advertising at the global level based on the existing good cooperation between government agencies and business self-regulatory bodies for traditional advertising at the national level.

Issues relating to confidentiality and lawful access to information

Lawful access issues should be reconsidered urgently in the broader context of current shifts in the value of information.

	Business action	Government action required
<i>1. Promotion of technology development to ensure security</i>	Business continues to develop technology for ensuring security in order to build trust in electronic commerce.	Governments should support fundamental private sector research and development relating to security technology.
<i>2. Cryptography for confidentiality</i>	<p>It is crucial for electronic commerce that business and end-users are able to choose the cryptographic systems that best suit their needs, and that these systems can function internationally. The market for cryptographic products and systems should for that reason be without restrictions.</p> <p>Business acknowledges the need for lawful access to information. Business is opposed to any mandatory system based on a specific technology.</p>	<p>The OECD cryptography policy guidelines were an important step in the direction of a uniform international approach. The urgent need for strong encryption in electronic commerce necessitates the next step in this co-operation between business and government. Governments must enhance electronic commerce on a free market by removing obstacles to the use of publicly offered standard encryption solutions.</p> <p>Governments should commit to:</p> <ul style="list-style-type: none"> • remove all export controls on cryptographic technologies and applications; and • cooperate in such a way that interoperability of solutions for internationally secure exchange of information is facilitated, independent of their choice of regulation.
<i>3. Access to corporate information by government authorities</i>	Business will recommend best practices for competition and other relevant government agencies.	Governments should work with business to define appropriate safeguards and to achieve the appropriate balance between privacy and lawful access to information.

Business action

Government action required

4. Access to public sector information

To ensure that the information business holds is correct and to promote efficiency and consumer satisfaction, business needs access to public sector information to conduct its transactions. International principles, if appropriate, should be developed in order to guarantee fair use of personal information.

Governments should guarantee equal and transparent access to public sector information to ensure business's legitimate interests, whilst recognising the need to achieve a balance with the protection of personal information.

5. Legal government interception of telecommunications

The development of acceptable international standards is important. Business is concerned about the wide range of government organisations devising standards which may lead to inconsistencies.

Discussions that may affect existing wiretapping safeguards should include business participation as a matter of principle.

6. Legal interception of telecommunications by business

Business needs to monitor communications to prove business transactions and for quality control or training purposes for the benefit of the customer. Some regulatory initiatives restrict these legitimate practices.

Governments should guarantee that business can continue to monitor communications for legitimate purposes (such as the proof of a business transaction, quality control and training) with the consent of only one party to the communication.

Digital signatures and certification authorities

Digital signatures or electronic signatures* are important to ensure proper identification of communicating partners, and authenticity and non-repudiation of messages that they exchange. For this to be realised, a number of international actions need to be taken. Digital certification is an embryonic sector that requires a flexible framework of rules to evolve. Self-regulation should be given preference to avoid the lock-in effect of inflexible and potentially incompatible government regulation. Many countries are developing, or have already implemented, electronic signature laws that include rules pertaining to certification services. Existing national laws range from fairly liberal to extremely detailed and cumbersome. Governments have an important role to play in assuring the legal validity of digital signatures.

Business action**Government action required*****1. Legal validity of digital signatures; interoperability of certificates and digital signatures***

Business looks forward to working with governments within UNCITRAL and other relevant bodies in this field.

Governments should encourage and support the UNCITRAL activity on electronic commerce, including its current work on electronic signatures, certification authorities and related legal issues.

Technical interoperability should be ensured by the private sector. The legal acceptability of certificates and digital signatures, both within a nation and internationally, should be promoted by the private sector with the support of appropriate government policies.

Digital signature laws and any regulatory procedures for recognition should not be written to require localisation or otherwise act as trade barriers. Neutral criteria relating to adequacy should be used to determine recognition.

Standards for electronic signatures that are used or recognised by governments should be technology neutral, not endorse or favour any particular solution and should allow for technological innovation.

* The terms "digital signature" and "electronic signature" are often used interchangeably. This had led to significant international confusion as to the use of the term. This topic is not appropriate for an in-depth discussion in this paper. We refer interested parties to www.iccwbo.org/guidec2.htm or www.ilpf.org/work/ca/draft.htm and related information sources for further information and definitions. For the purpose of clarity, the term "digital signature" as used in this document refers to "a transformation of a message using an asymmetric cryptosystem such that a person having the ensured message and the ensurer's public key can accurately determine: (a) whether the transformation was created using the private key that corresponds to the signer's public key, and (b) whether the signed message has been altered since the transformation was made." The term "electronic signature" as used in this document refers to "a signature in electronic form in, or attached to, or logically associated with, a data message, and used by or on behalf of a person with the intent to identify that person and to indicate that person's approval of the contents of the data message."

Business action

Government action required

2. Common framework of rules for certification practice

Common definitions and best practice guidelines for certification practice have been published by several business organisations and will be continually revised to reflect business practice.

Government efforts in this field should be limited to providing basic rules on which commercial certification practice can freely develop according to market needs. Such efforts should be coordinated internationally and should take account of the existence of self-regulatory solutions.

3. Availability of certification practice statements; accreditation

Business will develop best practice rules for certification practice statements (CPSs) allowing for varying levels of liability. Central repositories providing easy access to CPSs will be developed by business.

Governments should facilitate the emergence of borderless networks of certification authorities supporting mutual recognition agreements. Governments should not impose any licensing schemes that could disrupt such mutual recognition. If required, accreditation should be voluntary, based on internationally recognised best practices.

2. *Establishing ground rules for the digital marketplace*

Contractual and other legal issues

In a business-to-business relationship, freedom of contract must prevail as the underlying principle of all efforts to create an appropriate legal environment. Governments can support electronic commerce by enabling electronic contracting and by facilitating the legal recognition of digitally authenticated documents and contracts. Governments should avoid prescriptive and detailed legislation in these areas, but rather develop facilitating legislation, which may assist the private sector in developing self-regulatory solutions.

	Business action	Government action required
1. Removing legal/regulatory obstacles	<p>Traditional self-regulatory solutions for international trade are continually being adapted to new business practice.</p> <p>The global business community is analysing existing legal and policy barriers to the digital marketplace, and will make recommendations where appropriate.</p>	<p>Countries should implement the UNCITRAL Model Law on Electronic Commerce as soon as possible. There have been calls to elevate portions of the UNCITRAL Model Law to a Convention.</p> <p>Some international conventions need to be adapted (UN-ECE has published an analysis of international work to be done). The good cooperation that exists among private- and public sector international legal expert bodies should be a model for future cooperation between business and governments toward electronic commerce.</p>
2. Create a new uniform legal framework	<p>Through various private-sector trade promotion and facilitation organisations, a framework of self-regulatory rules for electronic trade is evolving.</p>	<p>Governments should continue to work through relevant international organisations to provide basic uniform legal rules, on a subsidiarity basis (i.e. only where self-regulation cannot suffice), to enable electronic commerce.</p>

Business action

Government action required

3. Incorporation by reference

In electronic commerce, terms of legal significance will increasingly be incorporated into contracts by reference. Business will continue to develop more effective, transparent and user-friendly delivery mechanisms for the full definitions of such terms.

Governments should continue work on basic international principles for legal validity of incorporation by reference for all kinds of transactions. These rules should aim to provide certainty for all parties to electronic commerce transactions.

4. Transparency and availability of proprietary and best practice legal terms, model contracts, etc.

On-line legal databases with user-friendly reference systems will be made available for use by parties conducting on-line transactions.

Governments are encouraged to promote such business-driven repositories and to contribute public legal terms and instruments to it.

5. Dispute settlement

Speed and expertise in settling electronic commerce disputes are important. Providers of alternate dispute settlement systems are creating tailor-made systems.

Governments should encourage the use of self-regulatory dispute settlement mechanisms as an effective way of resolving electronic commerce disputes. Courts should develop electronic commerce expertise as well.

6. Fraud and other commercial crime

Business will continue to advise governments on appropriate action to combat electronic commerce fraud. Specialised business organisations will continue to provide information on fraud and fraudsters to the business community.

Criminal laws, courts and enforcement agencies should develop more expertise to deal with electronic commerce fraud and computer crime. Close cooperation with business is vital in this process.

Digital signatures are important for users to protect themselves against fraud. Their legal validity should be addressed as soon as possible.

7. Liability

Business will review general questions of liability in electronic commerce and submit its findings to relevant governmental organisations.

Freedom of contract should be the guiding principle. Governments should avoid creating liability rules that can impede the advancement of electronic commerce and should work with business to identify areas where liability rules are required.

Taxation and tariffs

Transactions conducted using electronic commerce should receive neutral tax treatment in comparison to transactions using non-electronic means. Taxation of electronic commerce should be consistent with established, internationally accepted practices, and administered in the least burdensome manner.

	Business action	Government action required
1. Customs duties	Business applauds the decision by WTO member states to continue their current practice of not imposing customs duties on electronic transactions.	WTO Ministers on 20 May 1998 declared that member states would continue their current practice of not imposing customs duties on electronic transactions.
2. Taxation	Business will continue to work with governments, including in the context of the OECD, to explain new technologies and their tax implications.	Tax neutrality should be the guiding principle. No new taxes or tax regimes should be imposed to target electronic commerce. Governments have made much progress discussing taxation issues in the OECD with input from business. Governments should continue to work closely with business to keep track of developments in electronic commerce and to ensure that practical business considerations are taken into account in formulating taxation policy for this fast-developing field.

Trade facilitation and customs modernisation

For business to use fully the benefits of electronic commerce, documentation in electronic form should not be denied legal acceptability solely on the grounds that it is in digital form. The handling of customs documentation, for example, will be both faster and more cost effective if it can be made in electronic form. The legal acceptability of auditing records and receipts in electronic form from electronic commerce transactions are other examples that can substantially reduce costs and facilitate and promote electronic trade.

	Business action	Government action required
1. Private/public sector interface	Business and governments should work together to ensure compatibility between standards at appropriate interfaces.	Work on customs data requirements is under way in the WCO and the G7. In other fields, there does not seem to be an organised effort to harmonise requirements. OECD would be an appropriate forum to address interface issues relating to taxation.
2. Customs modernisation	Further to the April 1998 Symposium on Trade Facilitation, business is keen to cooperate with governments within the WCO and WTO on issues relating to customs modernisation. Business will continue to work with and advise customs authorities on issues relating to electronic commerce.	To enable businesses and consumers to reap the benefits of electronic commerce, governments should work through the WCO and WTO to enhance the efficiency and transparency of customs procedures through the use of information technologies. Governments have an important role to play in addressing questions of trade policy and assuring the legal validity of documents in digital form.

Intellectual property

Adequate protection of intellectual property rights in intangible assets in cyberspace is a top priority.

Business action**Government action required****1. Copyright and neighbouring rights**

Technology is being developed to better track and protect copyrighted materials, and manage rights. Business is in dialogue with governments to ensure that copyright (including neighbouring rights) regimes are applied to the digital environment in a manner that promotes electronic commerce while protecting intellectual property rights.

Business sectors are committed to cooperating to prevent, deter and respond to infringements that take place over digital networks, including the implementation of technical protection measures; the development of marketplace solutions such as licensing; cooperation with law enforcement; and refining procedures for promptly responding to clear evidence of infringements, including notification.

Business will continue to provide information on the intellectual property implications of new technology.

WIPO adopted the Copyright and the Performances and Phonograms Treaty in December 1996. Governments should now move promptly to ratify and implement these treaties, taking into account the challenges and opportunities of the digital environment. Governments reviewing the applicability of copyright infringement liability rules should carefully examine how these rules apply to all stakeholders in the digital networked environment. The goal must be the establishment of a balanced and realistic framework of accountability that respects international norms; provides incentives for increased inter-industry cooperation to deter and respond to infringements; promotes responsible business practices; does not impose economically unreasonable or technically infeasible/unpracticable burdens on intermediaries that neither generate, select nor control content; and preserves an appropriate role for courts.

Governments should consider further measures to secure property rights in the digital networked environment, including filling the gaps in protection for producers and performers of sound recordings left by the Performances and Phonograms Treaty.

Business action

Government action required

2. Trademarks

Business has highlighted the problems raised by the discrepancy between the national scope of trademark laws and the international nature of electronic commerce and will work with WIPO to examine possible solutions. (See also Domain name system under Internet governance below).

Governments should work together at the international level in WIPO to ensure that national differences in trademark law and policy do not impede the trademark owner's ability to exploit and protect their trademarks in cyberspace.

3. Databases

Business is contributing to WIPO's work on this issue.

Governments should continue to work, through WIPO, towards adequate protection of intellectual property in databases.

3. *Enhancing the information infrastructure for electronic commerce*

Competition and trade-related issues

Open competition in the provision of products and services at all levels of the information society is a prerequisite for the development of electronic commerce. Regulation of the underlying telecommunications infrastructure, when necessary, should increase competition, enabling new services and new entrants to compete, globally, in an open and fair market. The convergence of telecommunications, IT and multimedia raises important questions that require international attention for liberalisation efforts to produce optimum results.

Business action

Government action required

**1. Telecom-
munications
competition**

Business remains committed to providing practical information about appropriate competitive safeguards. Business will continue to call on regulatory authorities to set and implement conditions for open and fair competition aimed at lowering the cost of and diversifying telecommunication service.

Business is studying means of avoiding and settling commercial disputes between competitors to provide an alternative to resolution by regulatory agencies.

Effective implementation of the WTO agreement on basic telecommunications is of critical importance. In consultation with business, governments with experience in telecommunications liberalisation should actively assist signatory countries that still have to start this process. Countries that have scheduled commitments under the WTO agreement on basic telecommunications should review the extent to which their markets are fulfilling the agreement, publish their findings on a regular basis, and, where appropriate, remove MFN exemptions.

The OECD, ITU and WTO - within their respective domains - have a role to play in facilitating such assistance.

Efforts should be made to increase the number of signatories and ratifications of the WTO agreement on basic telecommunications. The scheduling of market opening commitments in basic telecom services should include: (1) specifying a date certain for full liberalisation, (2) progressively removing foreign ownership restrictions and (3) adopting the reference paper in its entirety. Such commitments should be a priority consideration in negotiations for accession to the WTO by new member countries.

2. IT equipment

Business applauds the WTO Information Technology Agreement (ITA) and urges expansion of its coverage during the ITA II negotiations. Business urges non-signatories of ITA to join in confirming their tariff practices to the ITA.

The WTO ITA is of great importance for the development of electronic commerce and should be widely implemented and expanded. All governments should make efforts to expand the list of items to which the ITA applies.

Business action

Government action required

3. Trade-related issues relating to electronic commerce

Business encourages the WTO to take a leadership role on trade-related issues in electronic commerce, and offers its support in identifying priorities to remove barriers.

WTO Ministers have mandated the General Council to establish a comprehensive work programme to examine all trade-related issues relating to electronic commerce. Governments should immediately begin preparations to develop an agenda with business to support this process.

4. Convergence

Convergence of technologies is leading to the need for concomitant convergence in regulation of broadcasting, IT and telecoms. Convergence is crucial to electronic commerce and must be supported by appropriate government policies. Businesses are already developing, providing and using products and services taking full advantage of the convergence phenomenon. These developments are likely to accelerate.

The OECD and ITU have addressed this issue. Governments should work closely with business in preparing for and reacting to changes caused by convergence by applying the following principles:

- competition policy should be used as much as possible as the predominant means of preventing abuses of market power in the telecommunications and media sectors.
- government regulation should be limited to promoting competition, allocating scarce resources and, where legitimate, defining public interest objectives.

Standards

Electronic commerce offers great economic efficiencies, linking all parts of a transaction into one integrated end-to-end chain. Government policies should facilitate interoperability within an international, voluntary and consensus-based environment for standards setting. The market needs a fully interoperable architecture, which is being developed within existing standards-setting institutions or by market forces. In addition to enforcing appropriate competition laws, governments should ensure that standards are accepted by customs, taxation and other relevant governmental agencies. Government should refrain from developing competing standards through procurement mechanisms. Where market mechanisms do not respond to government procurement needs, the private sector and government should work together to develop a responsive, inter-operative interface.

	Business action	Government action required
Standards	Standards for electronic commerce should continue to be market driven. Business will continue to work with all relevant international standards-making bodies to develop international standards.	Governments should avoid mandating unnecessary standards that could be led by business.

Internet governance

Because the Internet is rapidly becoming the vehicle for global electronic commerce, developing appropriate rules for its governance, including those for domain name management, will be important.

	Business action	Government action required
1. Jurisdiction	Business will work with governments to find solutions to the problems associated with determining jurisdiction in cyberspace. Alternative dispute resolution mechanisms, which may provide a partial solution to these problems, are being developed by existing dispute settlement institutions and cooperative efforts by the legal profession internationally.	Appropriately, jurisdiction is one of the issues that the UNCITRAL Working Group on Electronic Commerce plans to work on in the future. Governments should encourage the use of alternative dispute resolution mechanisms.

	Business action	Government action required
2. Domain name system	<p>Business should have a significant role in the formation of policy for governance of the domain name system and the development of policy.</p> <p>Business will review the need for specific mechanisms for speedy resolution of commercial disputes relating to domain names.</p>	<p>Governments should</p> <ul style="list-style-type: none"> • continue to support the proposed transfer of administration of the Internet name and address system to the private sector • ensure that the transfer process does not prejudice the system's stability and continuity and that existing trademarks are protected. • support initiatives to ensure that the business community will have a sufficient voice in the governance of the domain name system.

4. Maximising the benefits - economic and social impacts

Electronic commerce is an innovative approach to ensuring future sustainable economic growth. Throughout the world, the profound impact of electronic commerce on the economies of the globe will undoubtedly improve economic efficiency, competitiveness and profitability. Within such an environment countries in all stages of development will have the opportunity to benefit by:

- increasing internal organisational and management efficiency of enterprises;
- increasing transaction efficiency and reducing transaction costs for both suppliers and buyers;
- extending market reach of suppliers and increasing choice for both suppliers and consumers;
- providing accurate information to improve service delivery such as in health provision or the provision of information to consumers.

Electronic commerce facilitates established business-to-business commercial relations, sales by companies to consumers, and exchanges between consumers. It affects the business environment at national, regional and global levels, and generates major opportunities, and new challenges, for market growth and development of jobs, industries and services. Consequently, internationally coordinated efforts are essential in order to secure the economic benefits of electronic commerce for both the information "rich" and the information "poor".

Electronic commerce will have a number of positive impacts, including:

- Shrinking the production and distribution chain by reducing intermediation and changing its nature. In addition, using networks to integrate markets directly with suppliers and inventory-tracking procedures can help reduce costs and allow more flexible production methods.

- Providing virtual shopping facilities that will change concepts of retailing for a number of goods and services and enhancing the ability of customers to browse and choose new products and services.
- Increasing market competition as costs for consumers are reduced and as market entry costs for suppliers are lowered.
- Raising productivity growth and the development of new activities will lead to new job creation, but will also result in the demand for new skills.

Measuring electronic commerce as accurately as conventional commerce is not easy given the difficulty of defining it and adequately capturing the value associated with it. Nevertheless, for policy purposes such data are needed to focus the policy debate so that action is directed towards activities that accurately reflect electronic commerce and its contributions to economic growth and development.

Small and Medium-Sized Enterprises (SMEs) represent an increasingly important dimension of the global economy. Particular efforts should be made to promote SME involvement in electronic commerce to ensure that they can take maximum advantage of the ability of telecommunications and information technologies to deliver cost efficiencies, quality control and competitiveness in manufacturing and service industries. As one of the most dynamic features of a growing economy, SMEs play a critical role in creating employment and enhancing GDP. Electronic commerce provides SMEs with lower market entry costs and the ability to extend geographic reach to a much larger market.

Electronic commerce is changing the way we do business. We have moved from an industrial economy where machines dominated productivity, to an information-based economy where intellectual content is the dominant source of value added and which knows no geographic boundaries. In this new environment, education and lifelong learning will be essential not only for workers but for all in society. As industry, commerce, and services are transformed by technology, many skills, not only of employees but also of managers and the self-employed, need to be improved or acquired. Future education will be supporting formal and non-formal learning arrangements and making it available to a much wider range of people, including adults returning to learn. The new information technology, such as interactive media and distance learning, will offer wider access and innovative approaches to education. As future economic prosperity and social and political cohesion depend on a well-educated population, lifelong learning will be essential for everyone as we move into the 21st century.

It is important to recognise the need for global cooperation by both business and governments to facilitate electronic commerce. Otherwise, there is a risk that a large segment of the world's population may not be able to participate in the economic and social benefits that can arise from electronic commerce. The World Bank for example has recently estimated that an investment of \$300 billion over the next five years will be required to upgrade the telecommunications infrastructure in developing and emerging economies. According to the World Bank, 55 percent of this investment will need to come from private capital, since public sources of funds are diminishing. Therefore, these countries need to take measures to promote competition and to ensure an appropriate investment climate.

Countries around the world should use electronic means of communications to deliver public services and to make public procurement procedures more efficient. This area requires increased attention to ensure that these processes and services keep pace with global norms. The benefits are government efficiencies, equalisation of service provision to all citizens, and the demonstration of government leadership in the use of electronic commerce technology and services.

Business action

Government action required

1. Economic and social impacts

Business organisations will continue to support studies and analyses of the impact of electronic commerce and share these findings with governments and international organisations.

Governments are encouraged to inform society, both individual consumers and businesses, about the potentials of electronic commerce and its impact on social and economic structures.

Governments and international organisations, notably the OECD, should be encouraged to collect and analyse data relevant to the study of electronic commerce in order to effectively measure its economic and social impact.

International development organisations such as the World Bank should study the potential impact of electronic commerce on emerging economies in an effort to assist in the economic development process in those nations.

2. Small and medium sized enterprises

Business organisations will promote marketing and technology support for SMEs through business organisations and chambers of commerce. Business will encourage greater interaction between large corporations and SMEs to provide access to electronic commerce networks for supplier and contracting opportunities.

Government should provide SMEs with information and education relevant to market entry opportunities provided by global electronic commerce.

3. Skills development

Business is committed to continue working with government to promote technical training and life-long learning for all in society.

Governments should review existing labour laws to remove existing barriers for workers to be able to share in the new and different employment generated by electronic commerce.

Governments should continue to promote both formal and non-formal skills-development programs.

	Business action	Government action required
4. Ensuring global participation	<p>Existing business organisations will work to expand the participation from business in developing countries in promoting the uses and benefits of electronic commerce.</p> <p>Business will expand its advisory role with international organisations dealing with electronic commerce issues.</p>	<p>Existing international organisations should increase cooperation, as well as coordination and transparency of their respective work programmes.</p> <p>All governments should ensure open and competitive electronic commerce markets to secure their participation in the benefits of the information society. Governments should expand opportunities for active business participation.</p>
5. Infrastructure deployment	<p>Business will remain an important driver in the development of the information infrastructure because it mobilises the private capital needed to build the global information infrastructure and to develop the technological innovations that enhance communications.</p>	<p>As telecommunications transitions from a monopoly to competitive environment, a crucial role for the government is that of being a neutral force in the economy that ensures pro-competitive behaviour, transparent rules, and value to the user.</p> <p>International organisations should provide a forum for coordinated government action and international cooperation on matters relating to global development. Agreements drawn up by multilateral organisations offer the private sector and governments the necessary legal and regulatory certainty for investment.</p>

Business action

Government action required

6. Government as model user

Business will work with governments to offer cost-effective electronic delivery systems for the public sector.

Governments are encouraged to use new electronic delivery systems to provide the means to significantly enhance the internal efficiency and productivity of public administrations.

Governments should promote electronic commerce through its public procurement system, done in a fully open and competitive environment, based on cost-efficient, commercial solutions that are technology neutral.

Governments are also encouraged to use new electronic means to deliver core public services. In particular this would concern public information and cultural resources, databases for health services, web sites at local, regional and national levels and public libraries and databases, where appropriate.

IV. Selected industry self-regulatory initiatives

Name of initiative		Guideline for codes of practice for Internet Service Providers
Objective		This guideline consists of 7 Chapters, 20 articles and 2 additional rules. The objective of this guideline is to protect users (including minors) and to realise the sound development of Internet Connection Services by the members of Telecom Services Association of Japan by responding appropriately to various problems (illegal or harmful content etc.) arising from providing Internet Connection Services.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Telecom Services Association of Japan (TELESA)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		16 February 1998
Scope	General	Business-to-business; Business-to-consumer; Generic
	Sector	Internet Service Providers, Telecommunications Carriers
	Geographic	Japan
Examples of application		The association consists of 402 enterprises.
Participation public sector		
For full text/further information consult/contact		http://www.telesa.or.jp/e_guide/e_guid01.html
Possible/expected evolution of the initiative		The Guidelines will be reviewed continuously to ensure its efficacy as a guiding principle for members of the Association.

Name of initiative		Guidelines for Protecting Personal Information in Cyber Business
Objective		The purpose of these guidelines is to provide suitable protection for personal information by stipulating basic matters concerning the handling of personal information in cyber business. We hope that all business entities engaged in cyber business will review these guidelines, and then create voluntary rules with regards to their own business in order to promote the solid growth of cyber business in the future.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Cyber Business Association
	Supporting organisation(s)	
[expected] Date of issuance / implementation		17 December 1997
Scope	General	Business-to-consumer
	Sector	Internet Providers
	Geographic	Japan
Examples of application		The association consists of 115 enterprises
Participation public sector		
For full text/further information consult/contact		http://www.fmmc.or.jp/associations/cba/index_english.html c/o: Foundation for Multimedia Communications (FMMC) Nisso 22 Bldg. 5F, 1-11-10 Azabudai, Minato-ku, Tokyo 106-0041 Japan Tel: +81 3 3583 5811 Fax: +81 3 3583 5813
Possible/expected evolution of the initiative		

Name of initiative		High assurance general ID-certificate with private key protected in an electronic ID-card
Objective		Co-operation between public and private sector in order to facilitate common rules for strong authentication, use of digital signatures and strong encryption during transport of data. These three basic security services can be used for electronic commerce as well for governments' need for a "single face to citizen"
Enforcement mechanism(s) Need for interoperability		Voluntary by members of the non profit organisation Certifications by the organisation until national standardisation decisions are made.
Leader(s) initiative	Issuing/ implementing organisation(s)	SEIS – Secured Electronic Information in Society (A non-profit organisation with c 60 organisations from both private and public sectors).
	Supporting organisation(s)	
[expected] Date of issuance / implementation		Technical specifications and a Certification Policy (16/06/98). Partly implemented by banks and the Swedish Post
Scope	General	Generic. All specification published via the net. Free to be used.
	Sector	
	Geographic	Sweden
Examples of application		First used in the finance sector for Internet Banking and other payment instructions. Public catalogue services not yet available. > 50 000 users.
Participation public sector		Members of SEIS
For full text/further information consult/contact		seis@seis.se www.seis.se
Possible/expected evolution of the initiative		The general ID-certificate can be used for applications of any other certificate belonging to other PKI-schemes (e.g. SET Certificates, email certificates etc)

Name of initiative		ICC Internet advertising guidelines
Objective		Guidelines proposing standards for ethical conduct of advertisers and marketers offering goods and services over Interactive Media to increase the public's confidence in marketing in the interactive media, to safeguard advertisers' freedom of expression, to minimise the incentive for governmental regulation, and to meet reasonable consumer privacy expectations.
Enforcement mechanism(s)		Like ICC's other marketing codes, the Internet guidelines are voluntary but serve as a global reference point for principles of ethical behaviour by companies world-wide. They are of a general nature so that national and sector-specific rules can build on them.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		2 April 1998
Scope	General	The Guidelines set standards of ethical conduct to be observed by all involved with advertising and marketing activities on the Internet.
	Sector	Non sector-specific
	Geographic	International
Examples of application		Not yet available
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Viviane Schiavi, +33-1-49532809
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		World Chambers Network (WCN)
Objective		Enabling electronic commerce among SMEs. A global electronic network on the Internet for the exchange of business information and opportunities. WCN allows chambers of commerce to promote their companies to the world and to network with other chambers of commerce around the world.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	IBCC (International Bureau of Chambers of Commerce) Paris Chamber of Commerce and Industry G77 Chambers Trade Network IBNET
[expected] Date of issuance / implementation		1994
Scope	General	Business-to-business. Chamber-to-chamber
	Sector	Non sector-specific.
	Geographic	International
Examples of application		A company that sells ergonomic pens opened business contacts with one of the largest office supply chains in the United States. A Swedish dental equipment importer is now doing business with China and a thermal cushion manufacturer found an agent in the Netherlands.
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Anthony Parkes, +33-1-49532967
Possible/expected evolution of the initiative		The network will offer qualified, validated business information, providing a higher level of trust through the intervention of trusted third parties such as chambers of commerce.

Name of initiative		Framework of best-practice rules for dematerialised trade
Objective		These high-level rules are intended to bridge gaps in the current framework of best practice trade rules and laws to facilitate electronic trade in a completely "open" environment as well as exchanges with the assistance of a central registry.
Enforcement mechanism(s)		Voluntary but binding once incorporated or referred to in contract.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	---
[expected] Date of issuance / implementation		To be published in 1999
Scope	General	Business-to-business
	Sector	Non sector-specific
	Geographic	International
Examples of application		Not yet available
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk +33-1-49532913
Possible/expected evolution of the initiative		---

Name of initiative		ICC E-Terms repository
Objective		The ICC E-Terms repository will give users of electronic commerce easy access to legal terms (proprietary, public or business "best practices") used in electronic commerce, so that they can compose their contracts fully on-line.
Enforcement mechanism(s)		Incorporation of E-Terms by reference to a unique identifier is expected to render electronic commerce terms more transparent and enforceable for contracting parties.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	Discussing endorsement/support with range of groups and organisations.
[expected] Date of issuance / implementation		Mid 1999
Scope	General	Generic
	Sector	Non sector-specific, but especially suitable for support of PKI (Public Key Infrastructure).
	Geographic	International
Examples of application		Not yet available
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		Dispute resolution for electronic commerce & Y2K
Objective		ICC offers a variety of high-speed, low-cost methods for resolving Y2K and electronic commerce disputes through arbitration under the 1998 ICC Rules of Arbitration; Fast-track arbitration under the 1998 rules; Centre for Expertise for use prior to any formal dispute resolution mechanism; ICC Rules for Optional Conciliation, which is a form of voluntary and non-binding mediation.
Enforcement mechanism(s)		After voluntary incorporation into a contract an arbitration clause becomes binding upon the parties. Pursuant to various treaties (i.e. the New York Convention), arbitral awards are enforceable in signatory states. Alternate dispute resolution mechanisms may be appropriate vehicles for the enforcement of self-regulatory guidelines, codes and practices.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		Specific rules under development; new generic arbitration rules in effect since 1 January 1998.
Scope	General	Mostly business-to-business, but consumer-to-business disputes are not excluded.
	Sector	Non sector-specific.
	Geographic	International
Examples of application		
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Fabien Gelinat, +33-1-9532943
Possible/expected evolution of the initiative		ICC dispute resolution mechanisms will continue to evolve to meet business needs in electronic commerce and generally.

Name of initiative		Model contract clauses for transborder dataflows
Objective		Building on the widely supported 1992 ICC/EC/Council of Europe model clauses, these model clauses ensure that a data subject can have redress against a data exporter if a data importer in a country that does not provide “adequate protection” according to the jurisdiction of the exporter violates a privacy rule according to the laws of the country of export. As such, they are intended to bridge the gap that has widened between some jurisdictions as a result of different approaches to privacy protection.
Enforcement mechanism(s)		Once voluntarily incorporated into a contract, the clauses become fully enforceable both for the contracting parties and, in most legal systems, the data subject.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		October 1998
Scope	General	Business-to-business self-regulatory solution to protect personal data.
	Sector	Non sector-specific.
	Geographic	International
Examples of application		Not yet available for 1998 version. 1992 version has been widely applied.
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		General Usage for International Digitally Ensured Commerce (GUIDEC)
Objective		A set of common definitions and business-generated best practices for certifying and "ensuring" electronic commerce to: <ul style="list-style-type: none"> • facilitate further development of solutions to security • identify problems in electronic commerce over the Internet • Act as a unifying or starting point for some of the diverging policy approaches.
Enforcement mechanism(s)		Voluntary.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		November 1997
Scope	General	Business-to-business
	Sector	Non sector-specific.
	Geographic	International
Examples of application		GUIDEC has been widely referred to in the press and by industry as a unique reference for industry best practices and harmonised definitions. It has been submitted for use as reference material for UNCITRAL work on electronic signatures.
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated in 1999

Name of initiative		ICC trust-enhancing services for PKI
Objective		As chambers of commerce are developing registration and certification services to support digital signatures, ICC will provide top-level accreditation services to enhance trust globally.
Enforcement mechanism(s)		Participation would be voluntary but enforcement of criteria would be contractual.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	IBCC (International Bureau of Chamber of Commerce)
[expected] Date of issuance / implementation		Implementation expected in 1999
Scope	General	Business-to-business
	Sector	Non sector-specific.
	Geographic	International
Examples of application		---
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		---

Name of initiative		Model electronic sales contract
Objective		Based on ICC's model contract for the international sale of goods, this contract will facilitate electronic trade transactions.
Enforcement mechanism(s)		Once entered into, the contract is enforceable as any other. The model can be customised to meet specific needs of parties.
Leader(s) initiative	Issuing/ implementing organisation(s)	ICC (International Chamber of Commerce)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		To be published in 1999.
Scope	General	Business-to-business
	Sector	Non sector-specific.
	Geographic	International
Examples of application		---
Participation public sector		None
For full text/further information consult/contact		http://www.iccwbo.org Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		---

Name of Initiative		Canadian Standards Association Model Code for the Protection of Personal Information
Objective		Addresses two broad concerns: the way in which organisations collect, use and disclose personal information; and the right of individuals to have access to personal information about themselves and to have the information corrected if necessary.
Enforcement mechanism(s)		Voluntary, but referenced by law or regulatory bodies in a variety of situations in Canada.
Leader(s) initiative	Issuing/ implementing organisation(s)	Canadian Standards Association (CSA)
	Supporting organisation(s)	Price Waterhouse - chair ITAC CBA Stentor American Express Public Interest Advocacy Centre Digital
[expected] Date of issuance / implementation		March 1996
Scope	General	Consumer -to-Business
	Sector	Transportation, Telecommunications, IT, Insurance, Health and Banking
	Geographic	Canada
Examples of application		Industry Canada - Jan 1998 - <i>The Protection of Personal Information</i> suggests using the CSA Model as a framework for Canadian legislation on privacy.
Participation public sector		Ministry of Consumer and Commercial Relations (ON) Industry Canada Office of Privacy Commissioner Department of Justice Heritage Canada
For full text/further information consult/contact		CSA 178 Rexdale Blvd. Etobicoke, Ontario M9W 1R3 Tel: (416) 747-4044 Ellen Pekiles pikilise@csa.ca
Possible/expected evolution of the initiative		

Name of Initiative		BBBOnLine Reliability Program and BBBOnline Privacy Program
Objective		BBBOnLine was established to help build consumer trust and confidence in online commerce. The Reliability programs helps assure that a company's advertising is truthful & accurate, the company commits to delivering the products & services offered and that, if the company cannot resolve a dispute with a consumer, it commits to using a third party arbitration/mediation program such as the Better Business Bureau. BBBOnLine Privacy will offer an assessment process to demonstrate a company's ability to stand behind the promises made in its online privacy policy and will offer a dispute resolution process for consumer privacy concerns.
Enforcement mechanism(s)		In both the reliability and Privacy programs a company signs a license agreement committing to the principles of the program and the particular resolution process applicable to the program.
Leader(s) initiative	Issuing/ implementing organisation(s)	BBBOnLine is part of the Council of Better Business Bureaus representing 320 major corporations and 135 local Better Business Bureaus. The local bureaus have over 250 000 business as part of their membership base.
	Supporting organisation(s)	
[expected] Date of issuance / implementation		BBBOnLine Reliability launched on 30 April 1997 BBBOnLine Privacy is expected to be fully operational by 31 March 1999
Scope	General	Both programs are applicable to all businesses that are able to meet the standards and other criteria of the program.
	Sector	Initially the programs are only covering business in the US. The long-term goal is to work with other organisations around the world to help build a global approach to helping consumers identify businesses that stand behind their products, services, advertising claims and privacy policies.
	Geographic	
Examples of application		The BBBOnLine Reliability Program currently has 1900 companies participating and new companies are being added at a rate of between 30 and 40 a week. As of this date all disputes have been resolved without a formal arbitration needed. The expectation for the Privacy Program is to have 300 business participating by 31 March 1999.
Participation public sector		BBBOnLine works closely with the US Federal Trade Commission, State Attorney Generals and local law enforcement organisations if a fraudulent or scam type web site is identified. In developing the new Privacy program BBBOnLine is working closely with the Department of

	Commerce and Federal Trade Commission. The Council of Better Business Bureaus has a long successful history working closely with appropriate government organisations.
For full text/further information consult/contact	Mr Russell Bodoff General Manager BBBOnLine Inc. 42 Wilson Boulevard Arlinton, VA 22202 Tel 1 703 247 9331 Fax 603 243 54 15 e-mail: rbodoff@cbbb.bbb.org URL: www.bbbonline.org
Possible/expected evolution of the initiative	Goal is to partner with other organisations to develop a global approach to building consumer trust and confidence in online commerce.

Name of Initiative		CAP Trustmark Scheme for UK Internet Advertising
Objective		<p>A self-regulatory scheme for UK Internet advertising so that advertisers can declare to consumers their intention to advertise in a legal, decent, honest and truthful way. Those joining the scheme agree to comply with the British Codes of Advertising and Sales Promotion and the rulings of the Advertising Standards Authority. Main aims are to:</p> <ul style="list-style-type: none"> - give consumers trust and confidence in Internet advertising, especially advertising in the Trustmark scheme, and - inspire the confidence of governments, opinion formers and consumers in self-regulation for Internet advertising to ensure that new legislation on advertising is kept to a minimum.
Enforcement mechanism(s)		<p>Voluntary agreements between advertisers, agencies and the media to comply with the British Codes of Advertising and Sales Promotion and rulings of the Advertising Standards Authority, backed up by legislation applied by the Office of Fair Trading (a government department) through the Control of Misleading Advertisements Regulations 1988. Adjudications on complaints under the Codes are published in the ASA's Monthly Report, which is published on the ASA's website and circulated in a printed version to journalists, government departments, the advertising industry, opinion formers and is available free of charge on request. The use of the CAP trustmark scheme does not indicate "approval" by either the ASA or CAP of the advertising material on the Internet. ASA will consider complaints against UK advertisers who are not in the scheme as well as against those who are in the scheme.</p>
Leader(s) initiative	Issuing/ implementing organisation(s)	The Committee of Advertising Practice through its Trustmark Standing Group
	Supporting organisation(s)	The Advertising Standards Authority
[expected] Date of issuance / implementation		Spring 1999 (subject to consultation)
Scope	General	The British Codes of Advertising and Sales Promotion cover consumer-to-business and business-to-business non-broadcast advertising. The Trustmark scheme is principally aimed at giving consumers confidence in business-to-consumer advertising.

	Sector	The Trustmark scheme and the Codes apply to UK Internet advertising and the use of the scheme will enable companies to declare to consumers that the UK is their county of origin and that they will cooperate with the ASA and CAP in resolving complaints.
	Geographic	The UK Codes also cover the Isle of Man and the Channel Islands.
Examples of application		In 1997 the ASA received 32 complaints about Internet and electronic advertisements. Only seven warranted action under the Codes and in each case the advertisements were amended in line with the ASA's ruling.
Participation public sector		Consultation on the Trustmark scheme will include discussions with the relevant UK Government departments, in particular the Department of trade & Industry and the Office of Fair Trading, and also local government agencies, consumer organisations. At this stage consultation is with the trade bodies in CAP, the Internet advertising industry and related trade bodies.
For full text/further information consult/contact		Caroline Crawford, Director of Communications, ASA,CAP 2 Torrington Place, London WC1E 7HW tel: 44-171-580 5555 Fax: 44-171-637 5979
Possible/expected evolution of the initiative		ASA is one of the 22 countries in the European Advertising Standards Alliance. The Alliance is looking at developing similar schemes linked to the UK initiative for its members. The members of the Alliance, which includes all EU member states, operate a cross-border complaints mechanisms for resolving complaints made in one country about advertisements published in another. The scheme will also be recommended to the International Chamber of Commerce (ICC) for consideration in their discussion on the arbitration of complaints under the ICC Internet Guidelines published in April 1998.

Name of Initiative		TRUSTe
Objective		TRUSTe's goals are to accelerate the growth of e-commerce by building consumer trust and confidence in e-commerce by empowering users to decide how their personally identifiable information will be used by the Web site. TRUSTe also works to educate site developers on the importance of demonstrating the site's commitment to addressing online privacy to both consumers and governments.
Enforcement mechanism(s)		<p>Sites that choose to become licensees of the TRUSTe program must sign a one-year licensing agreement. The agreement must be renewed each year. The agreement stipulates conditions by which the licensee must adhere, including privacy principles and escalation procedures. The agreement must be signed by an officer of the company and is contractually binding.</p> <p>The site must demonstrate, to TRUSTe's satisfaction, their compliance with the TRUSTe privacy principles prior to obtaining the TRUSTe seal or trustmark. Upon satisfactorily completing the TRUSTe initial review process, the site is awarded the TRUSTe trustmark. Over the course of the contract, subsequent reviews will be conducted by TRUSTe to ensure the site is in compliance with TRUSTe's privacy principles and their own stated privacy practices. A variety of mechanisms including offsite surfing of the site and "seeding" technologies are also used.</p> <p>The TRUSTe program also includes a consumer dispute resolution where consumers can voice concerns about TRUSTe licensees should their interactions with the licensee prove unsatisfactory. Complaints generated by either a consumer or TRUSTe follow a progressive escalation process that is dictated by the licensing agreement. Sites have agreed, by signing the contract, to cooperate with TRUSTe's review and escalation process.</p>
Leader(s) initiative	Issuing/ implementing organisation(s)	TRUSTe—the digital industry's only non-profit, self-regulatory effort focusing exclusively on individual privacy rights online.
	Supporting organisation(s)	Founding Organisations: Electronic Frontier Foundation, CommerceNet Consortium
[expected] Date of issuance / implementation		Commercial launch of the program: June 1997

Scope	General	Business-to-consumer primarily, business-to-business secondarily
	Sector	All
	Geographic	Currently US-centric, expansion plans include global penetration
Examples of application		# of licensees: 220 sites as of September 9, 1998 Influence of licensees: 15 of top 20 most visited sites, including all major Internet portals are TRUSTe licensees. It is estimated that TRUSTe licensees reach 90% of US Internet users.
Participation public sector		TRUSTe has participated at a number of US government-sponsored forums including the FTC Privacy Workshop, the Department of Commerce Privacy Forum and privacy workshops. In addition, TRUSTe has presented its program internationally to OECD-led privacy workshops.
For full text/further information consult/contact		www.truste.org Susan Scott Sscott@truste.org 4005 Miranda Avenue, Suite 175 Palo Alto, CA 94304 650-856-1525 phone 650-858-1936 fax
Possible/expected evolution of the initiative		The TRUSTe program has evolved in the 18 months since its commercial launch. It is anticipated that further developments and changes will occur as market and government forces dictate. Global expansion of the program is planned in 1999.

Name of initiative		The Online Privacy Alliance (OPA)
Objective		The Online Privacy Alliance's objective is to enhance an individual's trust in online activities and electronic commerce by promoting effective protection of personally identifiable information. The OPA proposes to empower individuals by requiring its members to adopt and implement privacy policies that include notice and disclosure, choice, data security, and data quality and appropriate access. Other elements of the OPA program include a set of privacy principles specifically designed for children under the age of 13, and redress/enforcement (see below) encouraging the creation of third party accountability systems.
Enforcement mechanism(s)		The OPA's enforcement mechanism is based on an assumption of industry self-governance and is consistent with the U.S system of checks and balances. OPA members commit themselves to participate in effective and appropriate self-regulatory enforcement activities and mechanisms. OPA believes that validation that organisations are engaged in meaningful self-regulation of online privacy by an independent trusted third party may be necessary to grow consumer confidence. OPA believes that such validation can be best delivered through "seals" which can be made easily recognisable in the market. The authority of federal and state law enforcement agencies to prosecute for deception those who claim to abide by such third party programs but do not, serves as an anchor for the voluntary enforcement programs.
Leader(s) initiative	Issuing/ implementing organisation(s)	The OPA sponsors consist of more than 50 leading U.S. companies and industry associations who reach all American individuals on the Internet.
	Supporting organisation(s)	
[expected] Date of issuance / implementation		The OPA launched its programs on June 22, 1998.
Scope	General	Business-to-consumer and Business-to-Business(user)
	Sector	cross-sectoral
	Geographic	The United States of America
Examples of application		<i>(Number of subscribers, hits, buyers, etc; case-law, arbitration awards, etc.)</i>

Participation public sector	The OPA consulted broadly with the U.S. Government and consumer advocates and actively participated in consultations sponsored by the U.S. Government that brought together U.S. business and consumer and privacy advocates.
For full text/further information consult/contact	<p>www.privacyalliance.org Christine Varney Hogan & Hartson 555 Thirteenth Street, N.W. Washington, D.C. 20004 tel: 202/637-7284 fax: 202/637-5910 email: CAVarney@hhlaw.com</p>
Possible/expected evolution of the initiative	The OPA will work to create awareness within industry for the need to post privacy policies on websites consistent with the OPA principles and will work with third party programs to ensure that outreach to industry is a long-term initiative.

Name of Initiative		Report on Information and Communication Technology (ICT) and the consumer
Objective		To identify consumer related aspects of ICT
Enforcement mechanism(s)		Not applicable
Leader(s) initiative	Issuing/ implementing organisation(s)	The Confederation of Netherlands Industry VNO-NCW and the Dutch consumer organisation Consumentenbond
	Supporting organisation(s)	--
[expected] Date of issuance / implementation		May 1998
Scope	General	The report discusses the identified consumer-related aspects of ICT. It focuses on the legal position of the consumer.
	Sector	--
	Geographic	Netherlands
Examples of application		--
Participation public sector		The relevant Dutch ministries (of Economic Affairs, and of Justice) were actively involved in drafting the report
For full text/further information consult/contact		Full text : An abstract of the report is available at the Social and Economic Council, P.O Box 90405, 2509 LK The Hague, Netherlands Tel. 31-70-3499646 Fax 31-70-3832535 e mail : voorlichting@ser.nl http://www.ser.nl
Possible/expected evolution of the initiative		--

Name of initiative		Business code of conduct from the Swedish IT-companies' Organisation
Objective		The Swedish IT-companies' Organisation has issued seven business rules for their members. One of the rules regulates the following aspects of electronic information: <ul style="list-style-type: none"> • Distribution of inappropriate or abusive information • Respect of privacy and integrity • Electronic marketing and spamming • Transparency in pricing and other conditions
Enforcement mechanism(s)		Binding on members
Leader(s) initiative	Issuing/ implementing organisation(s)	Swedish IT-companies' Organisation
	Supporting organisation(s)	Federation of Swedish Industries
Date of issuance / implementation		1997
Scope	General	Business-to-business and business-to-consumer
	Sector	--
	Geographic	--
Examples of application		600 member companies
Participation public sector		--
For full text/further information consult/contact		www.sito.se
Possible/expected evolution of the initiative		--

Name of initiative		Testbedding and Evaluation Model for Shopping Mall Construction Technologies (Mall Expression, Display, and Operability)
Objective		This guidelines is to perform selective prototype evaluation on matters relating to mall expression, display, and operability, particularly from the viewpoint of consumer convenience and cost effectiveness of implementation.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan (nation wide)
Examples of application		Not yet available
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		---

Name of initiative		Security Guidelines for Smart Card Electronic Money Systems
Objective		To analyse the potential threats to smart card electronic money systems and summarise the security function requisites for electronic money systems. This report has been compiled primarily for system engineers (SE) and others involved in building electronic money systems.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		April, 1998
Scope	General	Business-to-consumer
	Sector	Financial institution as issuer
	Geographic	International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		---

Name of initiative		Guidelines for Use of Smart Cards (contact/contactless)
Objective		Targeting shops, businesses, and operation companies expected introduce smart cards and systems, these guidelines address a cross section of items to be examined and information required in the course of introducing such systems. They address the conceivable fields or situations of application and provide specific content related to those fields and situations. Overall, this report amounts to an effort to promote and facilitate the use of smart cards.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		---

Name of initiative		Certification Authority Guidelines
Objective		These guidelines are intended for operators of certification authorities, and put a special focus on certification authorities in large, open systems that issue certificates available for electronic transactions and payment, electronic data exchange, electronic mail, etc. conducted among many unspecified people.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan/International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		Hotlines against illegal content. There are three of them in the Netherlands: against child pornography on the Internet, against racism/discrimination on the Internet, against illegal content on the Internet
Objective		Reports to these hotlines result in swift action against the reported illegal content, where necessary in cooperation with public official an/or police. In addition to being illegal, illegal content has a strong negative impact on Internet in general and specifically on the trustworthiness of the medium.
Enforcement mechanism(s)		Voluntary. Working on formal public-private partnership.
Leader(s) initiative	Issuing/ implementing organisation(s)	NLIP is the Dutch ISPA (ISPA-NI): Internet Service Providers Association Netherlands
	Supporting organisation(s)	Government, police
[expected] Date of issuance / implementation		Operational for 2 years now
Scope	General	All citizens and companies can report
	Sector	Internet
	Geographic	Netherlands
Examples of application		Many reports made to each hotline. See for instance yearly report (in English) at www.meldpunt.org .
Participation public sector		Law department, department of the interior, police
For full text/further information consult/contact		www.nlip.nl www.meldpunt.org www.meldpunt.nu fred.eisner@nlip.nl (president/CEO NILP)
Possible/expected evolution of the initiative		Organisational links being made to other European and global initiatives, cooperation with public authorities developing.

Name of initiative		Cross Certification Guidelines (alpha version)
Objective		An end entity will need to possess multiple certificates, including certificates used across multiple applications, as well as certificates used on a per service or application basis. This document is provided for end entities using multiple application certificates to enjoy various types of services through the use “cross certificates” issued by the same or another certification domain.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		Guidelines on Personal Information Protection in Electronic Commerce in the Private Sector
Objective		To ensure the sound development of electronic commerce, all enterprises or individual businessmen that handle personal data of consumers in electronic commerce must take measures to protect these data. These guidelines have been prepared for the purpose of protecting personal data handled in electronic commerce.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan/International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		Guidelines for transactions between virtual merchants and consumers
Objective		To promote the sound and healthy development of EC, these guidelines have been adopted as policies aimed at companies and designed to make transactions fair and protect the consumer, with the emphasis on preventing trouble before it occurs.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	International
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		Electronic Notary System Guidelines
Objective		These guidelines concern those who participate in electronic commerce, MIS departments in companies, and electronic notary service providers. It establishes guidelines for safe, secure electronic commerce.
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Electronic Commerce Promotion Council of Japan (ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March, 1998
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan (nation wide)
Examples of application		
Participation public sector		
For full text/further information consult/contact		http://www.ecom.or.jp/ecom_e info@ecom.or.jp
Possible/expected evolution of the initiative		---

Name of initiative		Code of conduct on privacy
Objective		To translate the EU privacy directive, especially those principles that can be found in the OECD Privacy Guidelines, into practical and balanced guidelines for the legitimate processing of personal data and to ensure an adequate level of protection in the private sector. Leading principles are market demand and consumer empowerment.
Enforcement mechanism(s)		Easy accessible complaint procedures and alternative dispute resolutions. Depending on the way the sector is organized: contractually binding or via members/subscribers. Certification will most probably be another way of enforcement.
Leader(s) initiative	Issuing/ implementing organisation(s)	Joint initiative of the Dutch consumers association De Consumentenbond and the Confederation of Netherlands Industry and Employers VNO-NCW
	Supporting organisation(s)	The Dutch private sector
[expected] Date of issuance / implementation		By the end of 1998
Scope	General	Business-to-business; Business-to-consumer
	Sector	All sectors
	Geographic	No limits, also no clause on jurisdiction
Examples of application		
Participation public sector		
For full text/further information consult/contact		shkatus@vno-ncw.nl (Sergej Katus)
Possible/expected evolution of the initiative		If desired by the market, the code may serve as a basis for sector specific privacy codes. A code of conduct for the working environment is considered as well.

Name of initiative		The legal framework for electronic commerce: selfregulation
Objective		After investigating what instruments can be used for selfregulation and conducting an analysis of what topics should be included in a Code of conduct (which took place January-June 1998), the Code of conduct for Electronic Commerce will be drafted (from September on).
Enforcement mechanism(s)		Contractually binding for subscribers, possibly agreements on private-law settlement of disputes. Certification will possibly be another way of enforcement.
Leader(s) initiative	Issuing/ implementing organisation(s)	At the request of the Dutch Ministry of Economic Affairs, the Dutch Electronic Commerce Platform (ECP.NL) is conducting the investigation
	Supporting organisation(s)	The Dutch Ministry of Economic Affairs, the Confederation of Netherlands Industry and Employers(VNO-NCW), the Dutch private sector (a.o. banks, ministries, consumer organisations, universities & large businesses).
[expected] Date of issuance / implementation		Spring 1999
Scope	General	Business-to-business; Business-to-consumer
	Sector	All sectors
	Geographic	No limits
Examples of application		
Participation public sector		See "Supporting organisations"
For full text/further information consult/contact		Arie-van.bellen@ecp.nl (Arie van Bellen) Nicolette.docter@ecp.nl (Nicolette Docter)
Possible/expected evolution of the initiative		If desired by the market, the code may serve as a basis for sector specific codes of conduct.

Name of initiative		TTP.NL
Objective		To stimulate the development of secure and trusted communication and storage of electronic information by developing a national, interoperable TTP-infrastructure which is in harmony with current market developments and needs.
Enforcement mechanism(s)		Accreditation- and certification scheme (to which TTP's can voluntarily adhere). Possibly a quality-mark for TTP's that participate.
Leader(s) initiative	Issuing/ implementing organisation(s)	The Confederation of Netherlands Industry and Employers(VNO-NCW); the Dutch Ministries of Economic Affairs; Transport, Public Works & Water Mangement; the Dutch Electronic Commerce Platform (ECP.NL)
	Supporting organisation(s)	Representatives of providers and users of TTP-services (a.o. notaries, post and banks), the Dutch private sector (a.o. consumer organisations, universities & large businesses).
[expected] Date of issuance / implementation		End of 1999
Scope	General	Business-to-business; Business-to-consumer
	Sector	All sectors
	Geographic	
Examples of application		
Participation public sector		See "leaders initiative"
For full text/further information consult/contact		Arie-van.bellen@ecp.nl (Arie van Bellen) Nicolette.docter@ecp.nl (Nicolette Docter)
Possible/expected evolution of the initiative		In the timeframe of the project, it is expected that the necessary infrastructure and "tools" for the development of TTP-services in the Netherlands should be completed. During the project all relevant market parties will be consulted and informed.

V. The coalition for coordinating world-wide business action on electronic commerce

On the occasion of the Ottawa Ministerial Conference on electronic commerce and similar initiatives taken by governments around the world in recognition of the importance of electronic commerce, the world's leading business organisations decided to create a coordinating coalition to provide business leadership in cooperation with governments and various international organisations, including the OECD, on information society issues and electronic commerce. Jointly, these organisations represent the bulk of electronic commerce in almost all countries in the world.

BIAC

The Business and Industry Advisory Committee to the OECD

The Business and Industry Advisory Committee to the OECD (BIAC) is the voice of business from the economically advanced democratic nations of the world. Recognised by the OECD since 1962 as its business advisory counterpart, BIAC has the mission of ensuring that the OECD hears a broad-based, considered business advice on all sectors of activity that it embarks upon. BIAC's membership consists of the principal industrial and employers' organisations of the OECD Member countries. These represent the majority in terms of employment, output, assets and investment by the private sector in the advanced market economies.

Over the years BIAC, its member organisations, and their member companies have been deeply involved in the work of OECD on information and communications and electronic commerce through direct participation in OECD committees as observer and by providing technical and policy advice to various processes that develop OECD instruments such as the 1980 "Privacy Guidelines" or more recent work on cryptography policy.

ICC

International Chamber of Commerce

ICC is the world business organisation. With corporate and business organisation membership in more than 130 countries, it is the only representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. Founded in 1919, ICC's purpose is to promote an open international trade and investment system and the market economy worldwide. Its rules for international trade transactions and trade finance are accepted globally by traders, governments and judges. The ICC International Court of Arbitration is the world's leading institution of its kind. ICC brings together executives and experts from all sectors of business to establish the business stance on broad issues of trade and investment policy as well as on vital technical or legal subjects. The ICC's broad framework of rules for international trade and commerce evolves continuously to take into account changes in business practice. ICC has issued best practice rules for electronic commerce since the 1980s and continues to harmonise business rules and practices to meet the needs of the information society.

GIIC

Global Information Infrastructure Commission

Launched in 1995, the Global Information Infrastructure Commission (GIIC) is a private sector advocacy group bringing together 50+ CEOs and Presidents of major international corporations with a stake in the development of the GII. GIIC members are from both developed and developing countries. The GIIC serves as a bridge between diverse players and business communities around the world, thus fostering the

global dialogue necessary to address critical issues in building the global information infrastructure. The GIIC has established on-going policy dialogues with governments and international organisations, providing them with pragmatic advice and input as they transition to the new body of policies and laws needed to support a secure, seamless global communications environment and marketplace. Four main thrusts of GIIC activity are: 1) facilitating the creation of harmonised rules to support global electronic commerce; 2) bringing developing countries into the process of building the global information economy; 3) spurring the reform of education systems to prepare for the Information Age; and 4) fostering an open environment for the development of information infrastructures and services. GIIC membership is representative of all the major elements of the information technology sector, including telecommunications hardware and services providers, computer hardware and software companies, cable, broadcast, and publishing companies, new satellite companies, international organisations, governments, and academics. The GIIC's regional co-chairs are Les Alberthal, (chairman and CEO of EDS), Volker Jung, (executive vice president, member of the managing board, Siemens), and Michio Naruto (vice chairman, Fujitsu). W. Bowman Cutter (managing director of E.M. Warburg Pincus) acts as the GIIC managing director.

INTUG

International Telecommunication Users Group

INTUG is an international association of users of communications technology & applications. It has an extremely wide constituency. Founded in 1974, it has its Secretariat in Brussels where it is registered as an international non-profit organisation. It meets in plenary session four times a year.

Members include national users groups which represent the interests of users in Europe, the Americas, Asia-Pacific and Africa. Associate and individual members come from major multinational enterprises, academia, law and other relevant industry sectors. Many of INTUG's member groups have been particularly successful in their interaction with national government policy makers; also in regional economic policy forums.

INTUG itself promotes the interests of all users at the international level and ensures that the voice of the user is clearly heard whenever communications policy issues are addressed.

Its Special Interest Group on Y2K issues has been extremely active and was a specific focus of the INTUG meeting in Brussels in June 1998.

WITSA

World Information Technology and Services Alliance

The World Information Technology and Services Alliance (WITSA) is a consortium of information technology industry associations from economies around the world. Serving as the global voice of the information technology industry, WITSA is dedicated to:

- advocating policies that advance the industry's growth and development;
- facilitating international trade and investment in information technology products and services; and
- providing members with a vast network of contacts in nearly every geographic region of the world.

Through its network of 32 national associations, WITSA:

- serves as a forum for the identification of common issues and views;
- formulates positions on information technology issues, including the recently concluded World Trade Organisation (WTO) Agreement on Basic Telecommunications Services;
- voices the concerns of the international information technology community at multilateral organisations including the WTO, the World Intellectual Property Organisation (WIPO), the G-7 and other international fora where policies affecting industry interests are developed;
- provides information on international marketing and business development;
- promotes information sharing on information technology policy developments throughout the world; and
- hosts the biannual World Congress on Information Technology.

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Business and Industry Advisory Committee to the OECD (BIAC)

Global Information Infrastructure Commission (GIIC)

International Chamber of Commerce (ICC)

International Telecommunication Users Group (INTUG)

World Information Technology and Services Alliance (WITSA)

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