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# **A Global Action Plan for Electronic Commerce**

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**Prepared by Business with  
Recommendations for Governments**

**2<sup>nd</sup> edition, October 1999**

# Collectively, the Alliance for Global Business represents the following organisations

Arbeitsgemeinschaft für Datenverarbeitung (ADV), Austria  
 Asociación Española de Empresas de Tecnologías de la Información (SEDISI), Spain  
 Asociación Mexicana de la Industria de Tecnologías de Información (AMITI), Mexico  
 Associação Industrial Portuguesa (Portuguese Industrial Association)  
 Associação Portuguesa das Empresas de Tecnologias de Informação e Comunicações (APESI), Portugal  
 Association for Consulting to Business (APP), Czech Republic  
 Association Française des Utilisateurs du Téléphone et des Télécommunications, (AFUTT)  
 Association of Telecommunication Users (AUTEL), Spain  
 Association of the Computer Industry (PIKOM), Malaysia  
 Association Suisse d'Usagers de Télécommunications, (ASUT)  
 Associazione Nazionale Aziende Servizi Informatica e Telematica Italy  
 Associazione Nazionale Utenti Italiani di Telecomunicazioni (ANUIT)  
 Australian Chamber of Commerce and Industry  
 Australian Information Industry Association (AIIA)  
 Australian Telecommunications Users Group (ATUG)  
 AUT, Czech Republic  
 Bangladesh Computer Samity (BCS)  
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 ICC Denmark  
 ICC Ecuador  
 ICC Egypt  
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 ICC Germany  
 ICC Ghana  
 ICC Greece  
 ICC Hungary  
 ICC Iceland  
 ICC India  
 ICC Indonesia  
 ICC Iran (Islamic Republic of)  
 ICC Ireland  
 ICC Israel  
 ICC Italy  
 ICC Japan  
 ICC Jordan  
 ICC Korea  
 ICC Kuwait  
 ICC Lebanon  
 ICC Lithuania  
 ICC Luxembourg  
 ICC Mexico  
 ICC Morocco  
 ICC Netherlands  
 ICC New Zealand  
 ICC Norway

ICC Peru  
 ICC Philippines  
 ICC Portugal  
 ICC Saudi Arabia  
 ICC Singapore  
 ICC South Africa  
 ICC Spain  
 ICC Sri Lanka  
 ICC Sweden  
 ICC Switzerland  
 ICC Syria  
 ICC Thailand  
 ICC Togo  
 ICC Tunisia  
 ICC Turkey  
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 ICC United Kingdom  
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 ICC Venezuela  
 ICC Yugoslavia  
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 Chinese Taipei Business Council of ICC  
 Hong Kong, China Business Council of ICC  
 Information Service Industry Association of China, Taipei (CISA) China  
 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  
 International Communication User Group (ICUG), Ireland  
 International Communications Association (ICA), USA  
 International Press Telecommunications Council (IPTC)  
 Irish Business and Employers Confederation  
 Israeli Association of Software Houses (IASH)  
 IT Association of South Africa (ITA)  
 IT&C Association of Romania (ATIC)  
 Japan Information Service Industry Association (JISA)  
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 Software Industry Federation in Northern Ireland (SIF)  
 Svenska Arbetsgivareföreningen (Swedish Employers' Confederation)  
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 Telecommunications Users Association of New Zealand (TUANZ)  
 Teollisuuden Ja Työntantajain Keskusliitto (Confederation of Finnish Industry and Employers)  
 The Association of Lithuania's Information, technology, telecommunications and office equipment (INFOBALT)  
 The Association of Thai Computer Industry (ATCI)  
 The Co-operative Society for Computers of Egypt (CSCE)  
 Türk Sanayicileri ve İşadamları Derneği (TÜSIAD - Turkish Industrialists' and Businessmen's Association)  
 Türkiye İşveren Sendikaları Konfederasyonu (TISK Turkish Confederation of Employer Associations)  
 Türkiye Ticaret - Sanayi - Deniz Ticaret Odaları ve Borsaları Birliği (TOBB - Union of Chambers of Commerce, Industry, Maritime Commerce and Commodity Exchanges of Turkey)  
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 United States Council for International Business (USCIB)  
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 Vereinigung von TK-netzbetreibern des Finanzsektors (VTF), Austria  
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## I. Introduction to the second edition

### **Background**

This second edition of the Global Action Plan for Electronic Commerce published by the Alliance for Global Business (AGB) reflects a number of developments in the global discussions about electronic commerce since the first Global Action Plan was submitted on behalf of business to the OECD Ministerial in Ottawa, Canada, in October 1998. It also responds to a commitment that the AGB made in Ottawa behalf of business globally to submit evidence, after one year, that the various business actions set forth in the Global Action Plan were being properly implemented.

In its first edition, the Global Action Plan urged governments to rely on business self-regulation and the voluntary use of empowering technologies as the main drivers behind the creation of trust across the whole spectrum of users and providers of e-commerce goods and services. It also stated that governments should focus on the provision of a stable and predictable environment enabling the enforcement of electronic contracts, the protection of intellectual property and safeguarding competition. Furthermore, the Action Plan provided a detailed overview of which issues were the respective responsibilities of the private and the public sectors, and included an exemplary selection of self-regulatory projects.

The organizations in the AGB and the many Action Plan supporters believe that implementation of the business agenda expressed in the Action Plan is progressing on schedule. As this update shows, in many areas there is strong evidence that business is responding to the new environment by providing unprecedented transparency and safeguards for consumers. Sometimes the results of such business action can be easily quantified, but more often it is reflected in the figures showing a rapid expansion of the use of e-commerce globally.

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.

### **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. However, in other matters, 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 revised action plan as a mechanism for providing such leadership in a coordinated and transparent fashion.

**Part IV** of the document presents a sample compilation of successful self-regulatory solutions currently in use or being developed, and indicates progress made in those projects that were also featured in the first edition of the Global Action Plan.

Finally, **Part V** describes the Alliance for Global Business.

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, we renew our invitation to readers to submit comments for improvement and, where appropriate, endorsements to:

## 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 need to be extended as insights are gained from the development of the market place.

1. **The development of electronic commerce should be led primarily by the private sector in response to market forces.**
2. **Participation in electronic commerce should be pursued through an open and fair competitive market.**
3. **Government intervention, when required, should promote a stable, international legal environment, allow a fair allocation of scarce resources and protect public interest. Such intervention should be no more than is essential and should be clear, transparent, objective, non-discriminatory, proportional, flexible, and technologically neutral.**
4. **Mechanisms for private sector input and involvement in policy making should be promoted and widely used in all countries and international fora.**
5. **Electronic commerce is global by nature. Government policies that affect it should be internationally co-ordinated and compatible and should facilitate interoperability within an international, voluntary and consensus-based environment for standards setting.**
6. **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.**
7. **Regulation of the underlying telecommunications infrastructure, when necessary, should enable actors to compete, globally, in an open and fair market. As competition develops, regulation should be phased out and there should be a greater reliance on competition law.**
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. It will be in accordance with applicable laws.**
9. **Business should make available to consumers and, where appropriate, business 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 is taking with respect to specific problems; and
  - actions business considers governments should take.

#### 1. 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 and societies of the globe will undoubtedly improve economic efficiency, competitiveness and profitability and the development of the information society. Within such an environment countries in all stages of development will have the opportunity to benefit by:

- increasing internal organisational and management efficiency;
- 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.
- The ability to compare prices and other terms globally.

- 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 barriers for suppliers are lowered, enabling suppliers to address directly market segments that were previously uneconomical.
- 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 21<sup>st</sup> 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 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 best practices. 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.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Economic and social impacts</b>	Business organisations will continue to support studies and analyses of the impact of electronic commerce and share these finding with governments and international organisations.	<p>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.</p> <p>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.</p> <p>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.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Small and medium sized enterprises</b>	Business organisations and chambers of commerce will promote marketing and technology support for SMEs through information brochures, collection and communication of sector-specific best practice and workshops. 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.  Governments should create an environment that is conducive to private sector investment in information technologies and encourage capital access for SMEs.
<b>3. Skills development</b>	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. Existing international organisations should increase cooperation, as well as coordination and transparency of their respective work programmes.
<b>4. Ensuring global participation</b>	Existing business organisations will work to expand the participation from business in developing countries in promoting the uses and benefits of electronic commerce.  Business will expand its advisory role with international organisations dealing with electronic commerce issues.	All governments should ensure open and competitive electronic commerce markets to secure their participation in the benefits of the information society.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>5. Infrastructure deployment</b>	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>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 <del>user</del>-customer.</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>

**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 be pioneers in using new technologies for making electronic forms available for collecting taxes and other functions.

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.

**2. Electronic commerce and the information infrastructure – trade aspects, standards and Internet names and numbers**

**Competition and trade-related aspects of electronic commerce**

On September 25, 1998, the WTO Declaration on Global Electronic Commerce began "a comprehensive work program to examine all trade-related issues relating to global electronic commerce, taking into account the economic, financial, and development needs of developing countries...". Four WTO bodies -- The Committee on Trade and Development, The Council on Trade-Related Intellectual Property, the Council on Goods, and the Council on Services -- reviewed how existing multilateral trade agreements apply to global electronic commerce.

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 enable actors to compete, globally, in an open and fair market. As competition develops, regulation should be phased out and there should be a greater reliance on competition. The convergence of telecommunications, IT and

multimedia raises important questions that require international attention for liberalisation efforts to produce optimum results.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Telecommunications competition</b>	<p>Business remains committed to providing practical information about appropriate competitive safeguards. Business will continue to call on governments to set and implement conditions for open and fair competition.</p> <p>Business is studying means of avoiding and settling commercial disputes between competitors to provide an alternative to resolution by regulatory agencies.</p>	<p>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 work towards the elimination of MFN exemptions.</p>
<b>Telecommunications competition (continued)</b>		<p>The OECD, ITU and WTO - within their respective domains - have a role to play in facilitating such assistance.</p> <p>Efforts should be made to increase the number of signatories and ratifications of the WTO agreement on basic telecommunications. Business urges WTO members to include as one of the highest negotiating priorities in any accession protocol market opening commitments in basic telecom services that at a minimum include: (1) specifying a date certain for full liberalisation, (2) progressively removing</p>



foreign ownership  
restrictions and (3) adopting  
the reference paper in its  
entirety.

New WTO services  
negotiations to be launched  
in Seattle in November 1999  
are an opportunity to  
expand commitments made  
previously, particularly by  
countries either making no  
commitments or only partial  
commitments.

Governments should review  
favourably the business  
recommendations on the  
impact of telecommunications  
liberalization on electronic  
commerce, made to the OECD  
on the occasion of the OECD  
Ottawa Ministerial Conference.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. IT equipment</b>	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 ITA is of great importance for the development of electronic commerce and should be widely implemented and expanded. Governments should make efforts to expand the list of items to which the ITA applies.
<b>3. Trade-related aspects of electronic commerce</b>	In response to the WTO's work program to examine all trade-related issues relating to global electronic commerce, business is responding in a constructive way by issuing papers on the trade-related aspects of electronic commerce.	<p>WTO members should recognize that specific WTO agreements governing trade in goods, trade in services, or trade-related intellectual property apply to electronic transmissions. WTO members should continue to address the issue of categorization of electronic transmissions as either goods or services in their ongoing work programme.</p> <p>Electronic transmissions are blind with regard to national borders. Thus, WTO members should agree to continue duty free treatment of electronic transmissions and should consider in their ongoing work programme on electronic commerce to move beyond a temporary commitment to a permanent one.</p> <p>Continued development of electronic commerce requires the ability to conduct cross-border transactions. In the WTO services negotiations to be launched in November 1999 in Seattle, governments should make cross-border commitments across a wide range of industry sectors.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>4. Convergence</b>	<p>Businesses are already developing, providing and using products and services taking full advantage of the convergence phenomenon. These developments are likely to accelerate.</p>	<p>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. Governments should work closely with business in preparing for and reacting to changes caused by convergence by applying the following principles:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Government regulation should be limited to promoting fair competition, allocating scarce resources and protect the public interest.</li> </ul> <p>Governments should review favourably the business recommendations on the impact of telecommunications liberalisation on electronic commerce, made to the OECD on the occasion of the OECD Ottawa Ministerial Conference.</p>

## 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.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>Standards</b>	<p>Standards for electronic commerce should continue to be market driven and industry-led.</p> <p>Business will continue to work with all relevant international standards-making bodies to develop international standards that provide added value and are necessary for the development of electronic commerce.</p>	<p>Governments should avoid mandating unnecessary technical standards that could be and are being led by business.</p>

## Internet names and numbers

Because the Internet is rapidly becoming the vehicle for global electronic commerce, the management of the domain names system is great importance.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Domain name system</b>	Business should have a significant role in the formation of policy for governance of the domain name system and the development of policy. Through the various Supporting Organizations of the Internet Corporation for Assigned Names and Numbers (ICANN), and in particular the Business Constituency or the Domain Name Supporting Organization (DNSO), business will continue to work to ensure continued stability and security of the Internet, as well as appropriate protection of intellectual property. The protection of intellectual property (especially famous names) and efficient ways of dealing with cybersquatting remain priority issues for business.	Governments should <ul style="list-style-type: none"><li>• continue to support ICANN</li><li>• support initiatives to ensure that the business community will have a sufficient voice in the governance of the domain name system</li><li>• encourage ICANN to adopt and implement the WIPO recommendations on trademarks and domain names at the earliest possible time and encourage ICANN not to duplicate the consultation already conducted through WIPO.</li></ul>

### **3. 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 will be in accordance with applicable laws.

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

#### **Protection of Personal Information**

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Privacy and transborder flows of data</b>	<p>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.</p> <p>Business uses model contracts and internal control procedures to satisfy requirements of legislation restricting export of data to third countries that do not provide a level of protection considered to be adequate or sufficient by the source country. The use of model contracts provides a flexible, market-based solution for meeting differing data protection standards in the conduct of global business.</p>	<p>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.</p> <p>Different approaches to the protection of personal information should not prevent transborder data flows, and governments should cooperate internationally to ensure a seamless environment. In assessing the level of protection provided to personal information in other jurisdictions, the criterion should be the objective level of protection afforded by the system honoured within that jurisdiction.</p> <p>Model contracts and codes of conduct prepared by the private sector should be endorsed by relevant governments at the earliest possible time to promote the free flow of information.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Internet privacy</b>	<p>Business is committed to work with governments to ensure non-discrimination among culturally different but adequate regimes for protection of personal information in the digital environment</p> <p>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 enabling a high level of privacy protection tailored to user needs and preferences.</p> <p>The use of third-party compliance schemes is growing rapidly in response to market forces. The rate with which such schemes are being adopted in some jurisdictions demonstrates a strong commitment by the private sector to embrace consumer satisfaction as a competitive issue. Effective self-assessment programs have been and continue to be implemented by the private sector.</p> <p>Business is reviewing existing self-regulation to ensure that it takes into account new technologies and provide effective and credible privacy protection.</p>	<p>Governments should recognise that the Internet is a new medium providing new opportunities and challenges. Existing regulatory systems must provide consumers with useful protection of their personal data and at the same time guarantee the free flow of information needed for the information society to produce the anticipated benefits. Governments should also recognize that self-regulation may be a more flexible method of achieving data protection than government regulation.</p> <p>To that end, governments should:</p> <ul style="list-style-type: none"> <li>• work with the private sector to adopt interpretation of existing regulatory solutions based on the criteria in the paragraph above;</li> <li>• recognise the validity and adequacy of effective self-regulation augmented by the use of privacy-enhancing technologies; and</li> <li>• educate the public to use such privacy-enhancing technologies properly.</li> </ul> <p>Any privacy measures taken by governments should not be more restrictive than necessary to fulfill the data protection objectives of Article XIV of the GATS. Current international initiatives to enhance privacy protection on a global basis should be taken into consideration when assessing the need for such measures. The also must not constitute a means of arbitrary or unjustifiable discrimination, or a disguised restriction on trade in services.</p>

## Consumer trust and content

Within a freely functioning global electronic marketplace, increasingly sophisticated, user friendly tools and business practices for empowerment of consumers have been and continue to be developed and implemented. Those retail Web-sites offering wide ranges of consumer choice and providing individualisation of the consumer experience are succeeding in gaining customer support.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Consumer trust</b>	<p>Increasingly sophisticated empowerment tools for consumers continue to be developed and implemented 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> <p>The use of out-of-court dispute settlement procedures for consumers should be encouraged while maintaining court proceedings as the ultimate solution in case of conflicts.</p>





	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Content</b>	<p>Technological developments have had and will continue to have a profound impact on culture. However, the emerging digital environment can provide ample distribution capacity for all content, alleviating "competition" among different types of content. In addition, the interactivity of the new technologies enables users to choose more flexibly among different types of content and governments should not interfere in this personal decision-making process.</p> <p>Business continues to develop and implement voluntary content rating and filtering technologies to empower consumers.</p>	<p>Content regulations are based on different legal and cultural traditions. Nevertheless, content regulations should be kept to a minimum as they restrict the free flow of information into the marketplace of ideas. Where content regulations exist, it is the role of the appropriate law enforcement authority to enforce the law. In the context of potentially inappropriate, but otherwise legal content, business encourages the use of market-driven solutions, including the numerous filtering and blocking technologies rather than restricting access to such content through regulation. Such technologies empower the consumer to make informed decisions about the type of content he/she wants and does not want to access.</p> <p>Governments should enforce existing laws relating to illegal content.</p> <p>Any legislation that deals with the issue of liability should carefully consider the effect such laws have on the interests of all stakeholders in the electronic environment, and, where clarifying liability rules for intermediaries, needs to strike a careful balance between the legitimate business interests of the different stakeholders involved, including content providers, service providers and end-users.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>3. Marketing and advertising ethics</b>	<p>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.</p> <p>Business will continue to improve upon self-regulatory solutions for Internet advertising and market research. Business is establishing appropriate international self-regulatory enforcement mechanisms for violation of such best practice rules</p>	<p>In the borderless global environment of the Internet, internationally incompatible national laws on advertising and promotions seriously impede cross border sales.</p> <p>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.</p>

## 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.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Promotion of technology development to ensure security</b>	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.
<b>2. Cryptography for confidentiality</b>	<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.</p> <p>Business is opposed to any mandatory system based on a specific technology. Business will continue to develop and implement cryptographic products allowing a high level of confidentiality. Business is prepared to discuss possibilities to protect law enforcement and national security.</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. Governments should commit to:</p> <ul style="list-style-type: none"><li>• remove all controls on cryptographic technologies and applications; and</li><li>• cooperate in such a way that interoperability of solutions for internationally secure exchange of information is facilitated, independent of their choice of regulation.</li></ul>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>3. Searches and subpoenas of computer records</b>	Business has growing concerns about the use of computer searches by competition and other law enforcement authorities. There is an urgent need to ensure that law enforcement practices and policies reflect a clear understanding of how computers work, how businesses use them, and the extent to which traditional approaches to the collection of computer records may unnecessarily impose significant costs on business.	When requesting, issuing or executing a search warrant or a subpoena, government law enforcement agencies should take due care to cause the least burden to the operations of the subject firm, to respect privacy and confidentiality requirements, and not to overstep the territorial scope of the subpoena or search warrant by exploiting computer linkages with sources in other locations. Law enforcement agencies should not use the firm's computers to access or seize information stored on computers outside their jurisdiction but rather rely on existing procedures such as mutual legal assistance treaties and legislation.
<b>4. Access to public domain information</b>	To ensure that the information business holds is correct and to promote efficiency and consumer satisfaction, business needs access to public domain information to conduct its transactions. International principles, if appropriate, should be developed in order to guarantee fair use of personal information prevent liability for the use of public data, and promote the availability of such data for legitimate commercial purposes.	Governments should guarantee equal and transparent access to public domain information to ensure business's legitimate interests, whilst recognising the need to achieve a balance with the protection of personal information.
<b>5. Legal government interception of telecommunications</b>	The development of acceptable international standards is important. Business is concerned about the wide range of government organisations devising standards that may lead to inconsistencies.	Discussions that may affect existing wiretapping safeguards should include business participation as a matter of principle.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>6. Business monitoring of its own communications</b>	<p>Businesses need to monitor their communications to verify and/or prove business transactions and for quality control or training purposes for the benefit of the customer. Some regulatory initiatives restrict these legitimate practices.</p>	<p>Governments should guarantee that business can continue to monitor communications for legitimate purposes (such as the improvement of customer service, the verification or proof of a business transaction, quality control and training) with the consent of only one party to the communication.</p>

## Electronic authentication

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 realized, a number of international actions need to be taken. Electronic authentication 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. Governments have an important role to play in assuring the legal validity of electronic signatures.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Legal validity of electronic signatures; interoperability of certificates and electronic signatures</b>	Common definitions and best practice guidelines for authentication, and in particular certification practice have been published by several business organisations and will be continually revised to reflect business practice.	Governments should review the proposal that has been made to elevate certain portions of the UNCITRAL Model Law on electronic commerce to an international Convention. Governments should implement the principles on authentication in the OECD Ottawa Ministerial Declaration.

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\* 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 <http://www.iccwbo.org/home/guidec/guidec.asp> or [www.ilpf.org/work/ca/draft.htm](http://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.”

	<b>Business action / observations</b>	<b>Government action required</b>
<b>Legal validity of electronic signatures; interoperability of certificates and electronic signatures (continued)</b>	<p>Business supports freedom of contract to establish parties' rights and responsibilities when using electronic signatures. Contracts enable parties to agree on the acceptance of electronically signed data and on the terms and conditions of transactions (including limitations on liability). Contracts can also include the following: methodologies for enforcing online contracts and resolving disputes; compelling public policy considerations such as public safety and prevention of fraud issues; and use of appropriate terms and conditions.</p> <p>Business looks forward to working with governments within relevant bodies in this field.</p> <p>Technical interoperability should be ensured by the private sector. The legal acceptability of certificates and electronic signatures, both within a nation and internationally, should be supported by appropriate government policies.</p>	<p>Government policies should aim to provide a predictable legal framework based on the fundamental concept of freedom of contract. They should be non-discriminatory; technologically and architecturally neutral; promote flexibility as to the content, form and function of certificates and similar authenticating devices; and promote competition among providers of authentication services.</p> <p>Rules for evaluating the legal validity of electronic signatures should not be written to require localisation, local partners, local insurance or guarantee schemes, mutual recognition, or otherwise act as trade barriers. Neutral criteria relating to adequacy should be used to determine recognition.</p> <p>Standards for electronic signatures that are used or recognised by governments should be technology neutral, commercially available, not endorse or favour any particular solution and should allow for technological innovation.</p>



	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Accreditation</b>	<p>The marketplace should rely on existing trust infrastructures to provide the equivalence of accreditation where appropriate. If and when the accreditation is considered, the marketplace should determine whether an accreditation or certification of certificate authorities is required. As electronic commerce is an emerging market, the marketplace may require different kinds or levels of accreditation or certification. Accreditation or certification may not be required in every instance. Those that undertake the accreditation or certification of certificate authorities should be held liable for their certification actions. Therefore any accreditation solution should be developed in response to a specific market need and tailored to address a well-defined requirement.</p>	<p>In order to facilitate electronic transactions across borders governments should by enabling the emergence of borderless networks of certification authorities supporting voluntary non-discrimination agreements. Governments should not impose any licensing schemes that could disrupt such mutual recognition.</p>
<b>3. Availability of certification practice statements</b>	<p>Business is developing best practices for providing adequate notice to consumers of the responsibilities of Certification Authorities. Business is developing innovative services and technologies to provide easy access to notices of these responsibilities.</p>	<p>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.</p>

## 4. Establishing ground rules for the digital marketplace

### Contractual and other legal issues

Freedom of contract must prevail as the underlying principle of all efforts to create an appropriate legal environment for business-to-business transactions. 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.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Removing legal/regulatory obstacles</b>	<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>Business is developing technologies and procedures that enable the creation and determination of electronic "originals".</p>	<p>Countries should implement the UNCITRAL Model Law on Electronic Commerce, which provides for a particular country to address issues specific to its jurisdiction, 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>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Create a new uniform legal framework</b>	Through various private-sector trade promotion and facilitation organisations, a framework of self-regulatory rules for electronic commerce is evolving. In general, market forces should lead but business acknowledges that for some key issues there is no self-regulatory substitute for a reliable legal framework to provide certainty and confidence in electronic commerce.	Governments should continue to work at the international level to create a coherent legal framework to enable electronic commerce.
<b>3. Jurisdiction and applicable law</b>	Business will work with governments to find solutions to the problems associated with determining jurisdiction and applicable law in cyberspace. Alternative dispute resolution mechanisms and third-party schemes for compliance with self-regulation are being developed by existing and new types of providers of dispute avoidance and resolution.	<p>Freedom of contract should be the guiding principle for business-to-business relationships. 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/or forum of the country of destination for consumer transactions could inhibit continued growth of electronic commerce.</p> <p>Governments should rely on voluntary business self-regulatory practices and market pressures to develop more flexible and balanced solutions. The use of out-of-court dispute settlement procedures for consumers should be encouraged while maintaining court proceedings as the ultimate solution in case of conflicts.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>4. Incorporation by reference</b>	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.
<b>5. Transparency and availability of proprietary and best practice legal terms, model contracts, etc.</b>	On-line legal databases with user-friendly reference systems are being 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.
<b>6. Dispute settlement</b>	Speed and expertise in settling electronic commerce disputes are important. Providers of alternate dispute settlement systems are implementing and continue to test tailor-made voluntary systems appropriate for the settlement of on-line disputes.	Governments should encourage the use of self-regulatory dispute settlement mechanisms as an effective way of resolving electronic commerce disputes. Courts should urgently develop electronic commerce expertise.
<b>7. Fraud and other commercial crime</b>	<p>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 and, where appropriate and under adequate confidentiality arrangements, to law enforcement.</p> <p>Special business organizations are already investigating and will continue to investigate cybercrime cases.</p>	<p>Criminal laws, courts and enforcement agencies should develop more expertise to deal with electronic commerce fraud and computer crime. When applying national criminal laws, government should take into consideration the global nature of electronic commerce. Close cooperation among governments and between governments and business is vital in this process.</p> <p>Electronic authentication techniques are important for users to protect themselves against fraud. Their legal validity should be addressed as soon as possible.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>8. Liability</b>	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**

Tax and tariff policy will be instrumental in determining whether the vast potential of global electronic commerce can be realized. The development of electronic commerce is a change in the way in which international business is conducted and requires a fundamental review of tax policies and laws, which have their origins in traditional, off-line commerce. Fundamentally, however, electronic commerce should compete with traditional commerce on a level playing field. Tax systems should not interfere with the operation of a market economy. A global perspective is required when addressing this subject, as electronic commerce cuts across national boundaries to a greater degree than traditional forms of business. Therefore, consistent taxation approaches at the international level are absolutely critical to ensure the effectiveness of tax treatment in the digital economy and the avoidance of double taxation.

Similar income should be treated equally in terms of direct and indirect tax requirements, regardless whether this is earned through electronic means or through traditional channels of commerce. Electronic commerce however should not be the target of new and discriminatory taxes. The application of existing taxation on electronic commerce should be governed by the principles of tax neutrality and fairness.

Many taxation issues are not new or unique to electronic commerce but have already developed in conventional commerce, which increasingly relies on new modes of communications and increasingly crosses national borders. The mode of doing business through electronic commerce may add new layers of difficulty but does not create a new problem. Any legal obligations should not be restricted to electronic commerce but should apply equally to conventional commerce as well.

The request for a tariff-free zone for electronic transmissions is based on a long tradition of reducing or eliminating barriers (such as customs duties) to international trade. Lowering trade barriers, including tariffs, is one of the most obvious means of encouraging international trade as well as global electronic commerce.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Customs duties</b>	<p>Business is working with governments to ensure that the international trading system is as free as possible from barriers to trade, including custom duties.</p> <p>Commitments in this area make the business environment stable and predictable and give business a clearer view of their future trade opportunities. With stability and predictability as part of the multilateral trading system, trade increases, investment is encouraged, jobs are created, and consumers can enjoy the benefits of competition -- choice and lower prices.</p>	<p>The WTO's May 1998 Moratorium on Customs Duties on Electronic Transmissions recognizes that cross-border electronic transmissions are not now considered importations subject to customs duties or border controls. There are no customs duties or border controls on telephone calls across borders; there are no customs duties or border controls on fax messages; and, there are no customs duties or border controls on email or computer links.</p> <p>For stability and predictability in international trade in the 21<sup>st</sup> Century, WTO members should agree to continue duty-free treatment of electronic transmissions and should consider in their ongoing work programme on electronic commerce to move beyond a temporary commitment to a permanent one.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>2. Taxation</b>	<p>Business strongly supports the use of partnership working groups between business and government – such as the OECD Technical Advisory Groups - to address the numerous taxation issues relating to electronic commerce.</p> <p>Business is working with tax authorities to open this process broadly to interested business participants. We believe that to ensure the widespread support of the business community, even greater openness is called for to ensure timely and valuable input by those in the business community who have much to offer this process.</p> <p>We also heartily endorse efforts to seek a truly international consensus on these taxation issues</p>	<p>Governments should work with industry in international fora such as the OECD Technical Advisory Groups. There should be no new and additional taxes, such as usage or bit taxes. Future taxation policy on electronic commerce should:</p> <ul style="list-style-type: none"> <li>• be consistent with the principles of international taxation;</li> <li>• be neutral with regard to other forms of commerce;</li> <li>• be consistent across tax jurisdictions;</li> <li>• avoid double taxation;</li> <li>• minimize compliance costs; and</li> <li>• be transparent, predictable and with simple rules to follow.</li> </ul> <p>Applying existing taxation principles in the electronic medium must also be built upon tools that businesses already use or are required to develop to meet their market needs—it is only in this way that high tax compliance can be sustained with the least burden, and the fewest economic distortions.</p>



## **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.

	<b>Business action / observations</b>	<b>Government action required</b>
<b>1. Private/public sector interface</b>	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.
<b>2. Customs modernisation</b>	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.	<p>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.</p> <p>Governments have an important role to play in addressing questions of trade policy and assuring the legal validity of documents in digital form.</p>

	<b>Business action / observations</b>	<b>Government action required</b>
<b>3. Capacity building</b>	<p>Business is looking forward to working with governments to offer advice as to how to coordinate capacity building efforts in developing countries' customs administrations. Business can do this by sitting on advisory committees created to formulate capacity building strategies.</p>	<p>Strengthening and streamlining the trade facilitation environment in all countries will require capacity building in a number of developing countries; governments should examine existing programs of assistance and conduct a needs assessment to develop an assistance plan to improve the basic facilitation environment of all countries.</p> <p>This can be a collaborative effort with such organizations as the World Bank, the IMF, the World Customs Organization, and UNCTAD.</p>

## Intellectual property

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

	<b>Business action/ Observations</b>	<b>Government action required</b>
<b>1. Copyright and neighbouring rights</b>	<p>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.</p> <p>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 notification or facts and circumstances from which infringing activity is apparent.</p> <p>Business will continue to provide information on the intellectual property implications of new technology.</p>	<p>WIPO adopted the Copyright and the Performances and Phonograms Treaties 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. 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 unreasonable burdens on intermediaries; and preserves an appropriate role for courts. Any legislation that deals with the applicability of copyright infringement liability rules should carefully examine how these rules apply to all stakeholders in the digital networked environment. Any framework that provides for limitations on liability for service providers should be restricted to damages and other monetary relief. Injunctive relief and other forms of equitable relief should be available subject to applicable laws governing such relief.</p> <p>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.</p>

	<b>Business action/ observations</b>	<b>Government action required</b>
<b>2. Trademarks</b>	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 above).	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.
<b>3. Databases</b>	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.

## IV Annex - Selected industry self-regulatory initiatives

This annex provides examples of cross-company and joint business/government initiatives aiming to enhance trust in electronic commerce. Innovative schemes operated by individual companies are not included – although very often such proprietary efforts play a crucial role in heightening, through competition, standards of good business practice, this action plan is not the appropriate place to provide information on private initiatives. Finally, the annex is not meant to be an exhaustive list of initiatives but rather an attempt to demonstrate the rich variety of projects that the private sector is initiating to remove barriers to electronic commerce.

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Name of Initiative		<b>BBBOnLine Reliability Program and BBBOnline Privacy Program</b>
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 offers a comprehensive assessment process to measure a company's ability to stand behind the promises made in its online privacy policy and offers 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 132 local Better Business Bureaus. The local bureaus have over 270 000 business as part of their membership base.
	Supporting organisation(s)	
[expected] Date of issuance / implementation		BBBOnLine Reliability was launched on 30 April 1997 BBBOnLine Privacy was launched on 17 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	BBBOnLine Reliability is applicable to companies located in the United States and Canada. BBBOnLine Privacy is applicable to a company located anywhere if it markets to citizens of the United States or Canada. BBBOnLine is working with organizations in different countries to build co-operative partnerships to address privacy and consumer protection issues.
	Geographic	
Examples of application		The BBBOnLine Reliability Program currently has 3,500 companies participating and new companies are being added at a rate of between 50 and 70 a week. As of this date all disputes have been resolved without a formal arbitration needed. The BBBOnLine Privacy Program has 60 companies approved and about 400 companies in one stage or another of the process.
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 worked 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 Senior Vice President & COO BBBOnLine Inc. 42 Wilson Boulevard Arlington, VA 22202 Tel 703 247 9331 Fax 709 276 8112 e-mail: <a href="mailto:rbodoff@cbbb.bbb.org">rbodoff@cbbb.bbb.org</a> URL: <a href="http://www.bbbonline.org">www.bbbonline.org</a>
Possible/expected evolution of the initiative		Goal is to partner with other organisations to develop a global approach to building consumer trust and confidence n online commerce.

Name of initiative		<b>Bolero System</b>
Objective		Facilitating international trade through a technical and legal infrastructure for electronic commerce
Enforcement mechanism(s)		Contract-based interfacing with domestic laws
Leader(s) initiative	Issuing/ implementing organisation(s)	Bolero International Limited Bolero Association Limited
	Supporting organisation(s)	Bolero-enabled partners listed at <a href="http://www.bolero.net">www.bolero.net</a>
[expected] Date of issuance / implementation		September 1999
Scope	General	International trade
	Sector	Initial focus on shipping
	Geographic	Worldwide
Examples of application		Case studies appear at <a href="http://www.bolero.net">www.bolero.net</a> . Users have realised substantial cost savings.
Participation public sector		Customs and other regulatory offices participate actively.
For full text/further information consult/contact		<a href="http://www.bolero.net">www.bolero.net</a>
Possible/expected evolution of the initiative		Broadening focus to include an increasing number of trade transactions and instruments with both technical and legal support.

Name of initiative		<b>Business code of conduct from the Swedish IT-companies' Organisation</b>
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"> <li>• Distribution of inappropriate or abusive information</li> <li>• Respect of privacy and integrity</li> <li>• Electronic marketing and spamming</li> <li>• Transparency in pricing and other conditions</li> </ul>
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		<a href="http://www.sito.se">www.sito.se</a>
Possible/expected evolution of the initiative		--

Name of Initiative		<b>The Canadian Association of Internet Providers (CAIP) Code Of Conduct</b>
Objective		To govern the business conduct of ISPs as it relates to the public, public bodies and law enforcement officials.
Enforcement mechanism(s)		Voluntary adherence.
Leader(s) initiative	Issuing/ implementing organisation(s)	The Canadian Association of Internet Providers (CAIP)
	Supporting organisation(s)	Industry Canada
[expected] Date of issuance / implementation		October 1996
Scope	General	To assist ISPs with the development and implementation of internal policies and practices to comply with existing legal standards.
	Sector	Internet Service Providers
	Geographic	Canada
Examples of application		The Code will guide ISPs when they receive complaints about illegal content on web sites or network abuse.
Participation public sector		Industry Canada
For full text/further information consult/contact		<a href="http://www.caip.ca/caipcode.html">www.caip.ca/caipcode.html</a>
Possible/expected evolution of the initiative		CAIP is currently developing a “Fair Practices” guide for its ISP members that will, among other things, provide them with further direction regarding practical means and tools to comply with the Code of Conduct.

Name of Initiative		<b>The Canadian Association of Internet Providers (CAIP) Privacy Code</b>
Objective		To apply the principles of the Canadian Standards Association Model Code for the Protection of Personal Information to the online environment.
Enforcement mechanism(s)		Voluntary.
Leader(s) initiative	Issuing/ implementing organisation(s)	The Canadian Association of Internet Providers
	Supporting organisation(s)	Industry Canada
[expected] Date of issuance / implementation		September 1998
Scope	General	The CAIP Privacy Code is a voluntary code that represents a formal statement of principles and guidelines concerning the minimum protection that CAIP members will provide to their users regarding the protection of personal information. The Code applies to the management of personal information about a CAIP member’s users in any form whether oral, electronic or written that is collected, used or disclosed by a member.
	Sector	Internet Service Providers
	Geographic	Canada
Examples of application		
Participation public sector		Ministry of Consumer and Commercial Relations (ON)
For full text/further information consult/contact		<a href="http://www.caip.ca/privacy.html">www.caip.ca/privacy.html</a>
Possible/expected evolution of the initiative		CAIP is currently developing a “Fair Practices” guide for its ISP members that will, among other things, provide them with further direction regarding practical means and tools to comply with the CAIP Privacy Code.

Name of Initiative		<b>The Canadian Association of Internet Providers CAIP ISP Fair Practices</b>
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Objective		To provide CAIP members with practical means to comply with CAIP's Code of Conduct and Privacy Code, and thereby promote consumer confidence in the use of the Internet.
Enforcement mechanism(s)		Voluntary.
Leader(s) initiative	Issuing/ implementing organisation(s)	The Canadian Association of Internet Providers (CAIP).
	Supporting organisation(s)	Industry Canada
[expected] Date of issuance / implementation		Fall 1999
Scope	General	To create modular action plans to help ISPs address issues relating to reputable delivery of service, content, privacy, security and unsolicited commercial email (spam).
	Sector	Internet Service Providers (ISPs)
	Geographic	Canada
Examples of application		The document will provide guidance to ISPs respecting procedures to follow when they receive complaints about illegal or objectionable content and the formation of contracts to be used with subscribers and web site owners.
Participation public sector		Industry Canada
For full text/further information consult/contact		<a href="http://www.caip.ca">www.caip.ca</a>
Possible/expected evolution of the initiative		

Name of Initiative		<b>Canadian Standards Association Model Code for the Protection of Personal Information</b>
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 <a href="mailto:pekilise@csa.ca">pekilise@csa.ca</a>
Possible/expected evolution of the initiative		

Name of Initiative		<b>CAP Trustmark Scheme for UK Internet Advertising</b>
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"> <li>- give consumers trust and confidence in Internet advertising, especially advertising in the Trustmark scheme, and</li> <li>- 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.</li> </ul>
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.</p> <p>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 country 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 1998, ASA resolved 34 complaints about on-line ads, 6 required formal investigation and all of them were found to break the Codes, a further 8 presented smaller or clear-cut problems and were informally resolved.
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		<p><a href="#">Caroline Crawford, Director of Communications, ASA/CAP</a>  2 Torrington Place, London WC1E 7HW  tel: 44-171-580 5555  Fax: 44-171-637 5979</p>
Possible/expected evolution of the initiative		ASA is one of the 22 countries in the European Advertising Standards Alliance (see further in this annex). The scheme will also be recommended to the ICC for consideration in their discussion on the arbitration of complaints under its Internet Advertising Guidelines.

Name of Initiative	<b>Casetrust</b>
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Objective		Allowing a balance to be struck between the concerns of consumers and the constraints faced by retailers.
Enforcement mechanism(s)		Casetrust aims to address the assurance issue in e-commerce by making it compulsory for all cybershops to have in place proper security systems in order to join the scheme. Participating online retailers are also required to adopt a set of business practices such as respecting the privacy of customers' personal information. Consumers can verify that the website is a genuine Casetrust retailer by referring to the online directory developed by CNSG. The Casetrust qualifying criteria set out the minimum standards that retailers must comply with. Retailers who qualify for the scheme will be awarded the Casetrust logo, which may then be displayed prominently on their websites or shopfronts. Checks will be conducted at random to ensure that the retailers practice what they preach. In addition, all retailers will be subjected to annual assessment to ensure that standards are maintained. Casetrust offers redress to consumers who may be dissatisfied with their purchases. If the matter is not resolved amicably within a reasonable period of time, it will then be brought up to the Casetrust mediation panel for resolution. The emphasis on dispute resolution and avoidance, will also lay the ground for a Fair Trading legislation.
Leader(s) initiative	Issuing/ implementing organisation(s)	Consumers Association of Singapore (CASE) Retail Promotion Centre (RPC) CommerceNet Singapore Ltd (CNSG)
	Supporting organisation(s)	National Computer Board Singapore Broadcasting Authority
[expected] Date of issuance / implementation		End 1999
Scope	General	
	Sector	On-line & physical shopfronts
	Geographic	Singapore
Examples of application		
Participation public sector		NIL
For full text/further information consult/contact		Retail Promotion Centre Blk 528 Ang Mo Kio Avenue 10 #02-2387 Singapore 560528
Possible/expected evolution of the initiative		Internationalisation of the cyber element

Name of initiative		<b>CBI Contractual Clauses and Group Policies</b>
Objective		To enable data transfers to countries outside the EEA
Enforcement mechanism(s)		Via obligations and warranties
Leader(s) initiative	Issuing/ implementing organisation(s)	CBI
	Supporting organisation(s)	
[expected] Date of issuance / implementation		Still seeking approval from the UK's Data Protection Registrar and the Commission
Scope	General	
	Sector	All sectors
	Geographic	All countries
Examples of application		Can be used to ensure adequate protection for employee data being transferred from a subsidiary company in the EEA to a parent company outside the EEA.
Participation public sector		
For full text/further information consult/contact		Jackie Walster, CBI Company & Commercial Law Group- 0171 395 8045
Possible/expected evolution of the initiative		Hope to finalise by end '99

Name of initiative		<b>Certification Authority Guidelines</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of Initiative		<b>Clicksure</b>
Objective		<p>Clicksure provides accredited third party certification of e-commerce operations which meet a quality standard overseen by an independent Advisory Council.</p> <p>The clicksure quality standard covers everything that a quality e-commerce operation should be thinking about to achieve a best practice e-commerce solution.</p> <p>Clicksure certified operations demonstrate their commitment to, and achievement of e-commerce quality by displaying the clicksure Quality Seal on their web sites, on promotional literature and stationery.</p>
Enforcement mechanism(s)		Independent third party assessment of all certified operations; and continuous surveillance of the Quality Seal
Leader(s) initiative	Issuing/ implementing organisation(s)	<p>The clicksure program complies with ISO Guide 62 – the International Organization for Standardization guide for global voluntary certification bodies. Clicksure is has applied for accreditation to EN45012 by the Dutch National Competent Authority (RvA). EN45012 is the European standard for certification bodies providing quality assurance verification.</p> <p>EN45012 Accreditation requires clicksure to maintain up to date quality and procedures manuals; and adequate training and skills for all personnel – especially assessors. Clicksure is regularly audited by RvA to ensure that our quality practices are implemented and that all our decisions are impartial.</p>
	Supporting organisation(s)	Clicksure has a signatories program. Current members are listed on the program web site.
[expected] Date of issuance / implementation		The clicksure program was launched on 23 <sup>rd</sup> June 1999.
Scope	General	Quality assurance, including both performance and process criteria
	Sector	All sectors
	Geographic	Worldwide
Examples of application		Expect to have over 400 participating e-commerce operations by the end of 1999.
Participation public sector		The clicksure program is open to all stakeholder groups ; and clicksure is keen to involve public sector bodies in its development. Ongoing activities include close collaboration with a number of national governments.
For full text/further information consult/contact		<p>Clicksure Limited Oxford Centre for Innovation Mill Street Oxford OX2 0JX Tel : +44 (0)1865 242309 Email : <a href="mailto:info@clicksure.com">info@clicksure.com</a> url : <a href="http://www.clicksure.com">www.clicksure.com</a></p>

Name of initiative		<b>Code of Conduct for Electronic Commerce</b>
Objective		To draft a framework with a minimum set of rules for model behaviour, which might gain commitment of all parties involved in electronic commerce and thus attribute to the process of building trust and confidence. The general principles Transparency, Reliability and Confidentiality and privacy have been taken as a starting point.
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)	The Dutch Electronic Commerce Platform (ECP.NL).
	Supporting organisation(s)	the Confederation of Netherlands Industry and Employers (VNO-NCW), individual companies, the Dutch consumer organisation Consumentenbond, as well as the Economic Affairs Department and the Justice Department.
[expected] Date of issuance / implementation		Draft 2.0 was released in July 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 (Mr. Arie van Bellen) Nicolette.docter@ecp.nl (Ms. Nicolette Docter)
Possible/expected evolution of the initiative		The code may serve as a basis for sector specific codes of Conduct.

Name of initiative		<b>Code of conduct on privacy</b>
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, the Consumentenbond and the Confederation of Netherlands Industry and Employers VNO-NCW
	Supporting organisation(s)	The Dutch private sector
[expected] Date of issuance / implementation		Adopted by Dutch industries in December 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		<b>CPA WebTrust</b>
Objective		1) To build trust and confidence in eCommerce by increasing consumer confidence in using the Internet 2) Helping businesses deliver on their sales promises
Enforcement mechanism(s)		WebTrust involves a full-scope audit of a website by an independent, specially trained CPA, or their equivalents around the world, using the WebTrust Principles and Criteria as a benchmark to determine the soundness of on-line businesses' activities. Due to the nature of an audit, WebTrust is an effective eCommerce fraud deterrent and a comprehensive eCommerce seal of assurance. All WebTrust audits are performed on site and involve a critical review of online businesses internal control policies and procedures related to eCommerce.
Leader(s) initiative	Issuing/ implementing organisation(s)	American Institute of Certified Public Accountants, Canadian Institute of Chartered Accountants
	Supporting organisation(s)	VeriSign, Inc. is a strategic partner of CPA WebTrust and offers state of the art encryption technology to prevent the WebTrust seal from being copied on the Web.
[expected] Date of issuance / implementation		Version 1.0 issued September 1997; Version 1.1 issued April 1999; Version 2.0 issued August 1999
Scope	General	CPA WebTrust entails an independent CPA performing an audit of a website's (1) business practices and privacy (tests to perform that an online business properly discloses business and privacy disclosures and can demonstrate compliance with those policies over a given time period); (2) transaction integrity (tests to determine that an on-line business can demonstrate a proven history of delivery goods and services at prices it agreed to with online consumers) and (3) information privacy (tests to determine that appropriate security measures are in place (such as firewalls, SSL technology) both during transmission of data online and also once information reaches an on-line business.
	Sector	WebTrust is available to all sectors (public and private)
	Geographic	WebTrust is currently offered in the United States, Canada, the United Kingdom and Ireland, France, Australia and New Zealand. Plans are underway for future expansion into other European countries and Asia. Certain accounting firms have been granted worldwide licenses to offer WebTrust in any country where they have offices. WebTrust is scalable upwards to meet more rigorous laws or regulations in certain countries. No exceptions or exclusions are ever made to the fundamental WebTrust Principles and Criteria.
Examples of application		WebTrust is currently designed for use in a business to consumer application. The AICPA has recently added WebTrust for Internet Service Providers into the WebTrust family of services. Also expected in the near future are WebTrust for Certificate Authorities and WebTrust for Business to Business applications.
Participation public sector		None
For full text/further information consult/contact		Anthony Pugliese, Director of Assurance Services (212) 596-6083, <a href="mailto:apugliese@aicpa.org">apugliese@aicpa.org</a> Sheryl Weiner, WebTrust Team Leader, (201) 938-3751, <a href="mailto:sweiner@aicpa.org">sweiner@aicpa.org</a>
Possible/expected evolution of the initiative		The AICPA anticipates WebTrust will evolve into the recognized seal of choice by consumers and businesses alike due to the fundamental nature of the program itself. It represents an independent examination by a qualified CPA or their equivalents around the world. WebTrust is an effective self-regulatory model for government due to its inherent fraud detection capabilities and its comprehensive nature.

Name of initiative		<b>Cross Certification Guidelines (alpha version)</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>Cybercrime Unit of ICC Commercial Crime Services</b>
Objective		To investigate, collate & disseminate information to the industry on all matters relating to commercial cybercrime
Enforcement mechanism(s)		None
Leader(s) initiative	Implementing organization(s)	ICC Commercial Crime Services
	Supporting organization(s)	
(Expected) Date of issuance/implementation		01/01/2000
Scope	General	Commercial Crime & Malpractice Internet & Corporate Networks
	Sector	Non-sector specific
	Geographic	Worldwide
Examples of application		Not yet available
Participation public sector		Yes, works closely with Government Agencies and Law Enforcement.
For full text/further information Consult/contact		P Mukundan, Director, ICC-Commercial Crime Services <a href="mailto:Ccs@dial.pipex.com">Ccs@dial.pipex.com</a>
Possible/expected evolution of the Initiative		To become a focal point for business in respect of information regarding Commercial cybercrime.

Name of initiative		<b>Cybernotary project</b>
Objective		Establishment of profession to enable electronic certification and authentication of documents
Enforcement mechanism(s)		General law requiring the intervention of the Notary
Leader(s) initiative	Issuing/ implementing organisation(s)	CyberNotary Association UK
	Supporting organisation(s)	UK Notarial Forum comprising Society of Scrivener Notaries, Notaries' Society and Law Society of Scotland
[expected] Date of issuance / implementation		Early 2000
Scope	General	World-wide application
	Sector	Legal
	Geographic	UK based
Examples of application		All forms of legal documentation, transfers of real estate, commercial contracts
Participation public sector		Some backing from EU DG XIII
For full text/further information consult/contact		CyberNotary Association UK, 26 Drumsheugh Gardens Edinburgh EH3 7YR
Possible/expected evolution of the initiative		Mirrors similar scheme in the USA

Name of initiative		<b>Cybertribunal</b>
Objective		The establishment of an innovative service for the prevention and resolution of conflicts arising in cyberspace by recourse to electronic mediation and arbitration.
Enforcement mechanism(s)		The market. Cyber-sellers (including any physical or legal person offering products, services or licenses on the Internet) are invited to obtain the CyberTribunal seal and post it on their Websites, thereby committing to submitting any conflict with clients to the mediation process and, if necessary, the CyberTribunal arbitration procedure.
Leader(s) initiative	Issuing/ Implementing organisation(s)	The CyberTribunal is for now hosted at the University of Montreal, Quebec, Canada.
	Supporting organisation(s)	Ombuds-Online, an online mediation initiative, of the University of Massachussetts, USA.
[expected] Date of issuance /implementation		June4th, 1998
Scope	General	Areas of action are: electronic commerce, competition, copyright, trademark, privacy, freedom of expression and all other type of cases with the exception of cases under criminal law or involving public order (ordre public). Services of arbitration and mediation are offered in English and French, and soon, in Spanish. The CyberTribunal will deal only with conflicts arising in cyberspace, not with conflicts arising in the physical world.
	Sector	Non sector-specific
	Geographic	No geographic boundaries: the Internet
Examples of application		The CyberTribunal has dealt, since its launch, with cases involving mainly consumers and cyber-sellers (e-commerce disputes) and with copyright issues (disputes between two individuals concerning the ownership of some electronic materials accessible through a website).
Participation public sector		Sponsored, in part, by the Quebec Government and the Government of Canada
For full text/further information consult/contact		Prof. Karim benyekhleif at <karim.benyekhlef@umontreal.ca> URL: <www.cybertribunal.org>
Possible/expected evolution of the initiative		Setting up partnerships with similar foreign endeavours to provide mediation and arbitration services worldwide on the Internet.

Name of Initiative		<b>Digital Signatures for XML</b>
Objective		Build privacy protection and personal information management tools into the infrastructure of the World Wide Web
Enforcement mechanism(s)		P3P is a voluntary technical specification
Leader(s) initiative	Issuing/ implementing organisation(s)	World Wide Web Consortium Internet Engineering Task Force
	Supporting organisation(s)	
[expected] Date of issuance / implementation		1Q2000
Scope	General	Digital Signatures/Authentication
	Sector	
	Geographic	Global
Examples of application		Ability to digitally-sign any document on the Web will enable applications such as electronic checks, web-based contracting, secure access to web pages, and trusted privacy policies through W3C's Platform for Privacy Preferences (P3P).
Participation public sector		
For full text/further information consult/contact		Daniel J. Weitzner, Technology and Society Domain Leader, <a href="mailto:djweitzner@w3.org">djweitzner@w3.org</a> - <a href="http://www.w3.org/Signature/">http://www.w3.org/Signature/</a>
Possible/expected evolution of the initiative		

Name of initiative		<b>Dispute resolution for electronic commerce &amp; Y2K</b>
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Fabien Gelin, +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		<b>European Advertising Standards Alliance (EASA): Cross-Border Complaints System</b>
Objective		<p>The key objectives of the EASA's development of self-regulation for the Internet are:</p> <ul style="list-style-type: none"> <li>a) To provide effective channels for the resolution of cross border complaints about advertisements;</li> <li>b) To develop high Internet standards through best advertising practice to give consumers confidence and trust in the advertisements they access;</li> <li>c) To give national, European and International Governments, consumer bodies and opinion formers confidence in the advertising industry's self-regulatory systems to keep the need for legislation to a minimum.</li> </ul>
Enforcement mechanism(s)		National self-regulatory systems
Leader(s) initiative	Issuing/ implementing organisation(s)	EASA Internet Working Group/ National Self-regulatory Organisations
	Supporting organisation(s)	EASA Members – Self-regulatory Organisations
[expected] Date of issuance / implementation		(July 1999 – issued to advertising industry bodies for consultation/feedback) Issuance expected in 2000
Scope	General	National self-regulatory codes/principles. The existing national self-regulatory systems for advertising in the EASA member countries
	Sector	
	Geographic	The EASA has 27 members from 24 countries, and comprises of 22 European countries, including all European Union (EU) Member States, as well as two corresponding members in South Africa and New Zealand. The national codes/principles are based on those drawn up by ICC.
Examples of application		The EASA established a cross border complaint procedure in 1992, and this has now been extended to co-ordinate consumer complaints about the content of electronic advertisements. The procedure is based on the country of origin principle, as prescribed in the EU Television Without Frontiers (Broadcasting) Directive (97/36/EC) and applies to complaints from one member country about advertisements that originate in another. These procedures are applicable for Internet advertising as self-regulation, backed up where appropriate by nationally based legislation, is seen to be the most appropriate and effective measure to provide protection for consumers while enabling commerce to flourish. To date the cross-border complaints system has closed a number of Internet complaints.
Participation public sector		National organisations and EU
For full text/further information consult/contact		<p>Phil Murphy  Project Co-ordinator  European Advertising Standards Alliance  10A Rue de la Pépinière  B - 1000 Brussels Belgium  Tel.: (+32 2) 513 78 06 Fax: (+32 2) 513 28 61  E-mail: library@easa-alliance.org</p>
Possible/expected evolution of the initiative		This will contribute to a wider evaluation of internet advertising and cross-border complaints handling with the advertising industry, and to the stimulation of discussions that will aid our understanding and further develop the self-regulation of Internet advertising on a global level.

Name of initiative		<b>Electronic Notary System Guidelines</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		---

Name of initiative		<b>Electronic Original Initiative</b>
Objective		To provide by Codes of Good Practice a “Standard” for the acceptance at court and for archival purposes of electronic documents and e-commerce transactions. 5 Codes cover technical and operational requirements for: 1. Information Stored Electronically 2. Electronic Communications and e-mail Policy 3. Identity, Signature and Copyright 4. Using Certification Authorities 5. Using Trusted Third Party Archives
Enforcement mechanism(s)		Voluntary: audits can be by self audit or use of outside consultants.
Leader(s) initiative	Issuing/ implementing organisation(s)	Set up by Group 5 Group as not for profit organisation
	Supporting organisation(s)	Supported by Advisory Board Publishers / Branders 10/15 Reviewers 35 Legal change, Europe, USA and Oceania
[expected] Date of issuance / implementation		First five publishers 20/9/99 10 to follow
Scope	General	Generic not technology specific
	Sector	All
	Geographic	Worldwide
Examples of application		Provides essential bases for development of e-business and e-commerce. Initial Code based on UK Government and Lord Chancellors Office request.
Participation public sector		Legal Change see above
For full text/further information consult/contact		<a href="http://www.group5.net/publications/electronic.htm">www.group5.net/publications/electronic.htm</a>
Possible/expected evolution of the initiative		Will be updated as required. Being translated into several languages

Name of initiative		<b>European Electronic Signature Standardisation Initiative (EESSI)</b>
Objective		Industry initiative with the support of the two ICT European standardisation bodies, CEN and ETSI, to provide implementation

		<p>frameworks in support of the future European Directive on Electronic Signature.</p> <p>Such frameworks should be built upon international standards and other form of voluntary agreements which can be used to provide legally recognised signatures not only across Europe, but at global level through international cooperation.</p> <p>The ultimate objective is the publication by CEN and ETSI of industry agreed documents, relating to the technical infrastructure and self-regulatory guidelines for certification authorities and the like. Some documents could ultimately become European standards.</p>
Enforcement mechanism(s)		Compliance with the minimal legal framework stated by the European Directive
Leader(s) initiative	Issuing/ implementing organisation(s)	EESSI Steering Group
	Supporting organisation(s)	ICT Standards Board
[expected] Date of issuance / implementation		<p>1<sup>st</sup> step (assessment of existing standards, standardisation needs in light of market requirements, proposals for action) achieved (July 99).</p> <p>2<sup>nd</sup> step (workprogramme) in preparation for approval before end of year after intense international consultation.</p>
Scope	General	Legal recognition of electronic signature in the open electronic commerce environment
	Sector	Non sector specific
	Geographic	1 <sup>st</sup> priority European Union (domain of application of the European Directive), overall objective: international.
Examples of application		
Participation public sector		European Commission, EU Member States
For full text/further information consult/contact		1 <sup>st</sup> step Final Report available on <a href="http://www.ict.etsi.org/">http://www.ict.etsi.org/</a>
Possible/expected evolution of the initiative		Consult <a href="http://www.ict.etsi.org/">http://www.ict.etsi.org/</a>



Name of initiative		<b>ESOMAR Internet guideline</b>
Objective		To outline the main principles which must be followed in carrying out research on (or about) the Internet and in reporting the findings of such research with the objective to protect the interests both of Internet respondents and of the users of Internet research findings.
Enforcement mechanism(s)		Complaints procedures through ESOMAR. This guideline is based on the principles of the ICC/ESOMAR International Code of Social and Marketing Research which has been undersigned by all ESOMAR members, the management of research institutes with ESOMAR members and by 68 associations in 41 countries worldwide.
Leader(s) initiative	Issuing/ implementing organisation(s)	ESOMAR
	Supporting organisation(s)	ADM in Germany, national market research societies in Norway, Spain, Switzerland and Sweden as well as Association of Swedish Advertisers and Swedish Newspapers Publishers Association and MRA in USA
[expected] Date of issuance / implementation		ESOMAR 1998
Scope	General	Business-to-consumer and business-to-business
	Sector	Market, opinion and social research
	Geographic	Worldwide
Examples of application		
Participation public sector		
For full text/further information consult/contact		<a href="http://www.esomar.nl">www.esomar.nl</a> or <a href="mailto:k.joe@esomar.nl">k.joe@esomar.nl</a>
Possible/expected evolution of the initiative		Will be updated regularly as needed. Next up-date to be available in 2000

Name of initiative		<b>General Usage for International Digitally Ensured Commerce (GUIDEC)</b>
Objective		A set of common definitions and business-generated best practices for certifying and "ensuring" electronic commerce to: <ul style="list-style-type: none"> <li>• facilitate further development of solutions to security</li> <li>• identify problems in electronic commerce over the Internet</li> <li>• Act as a unifying or starting point for some of the diverging policy approaches.</li> </ul>
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated in 1999

Name of initiative		<b>Guideline for codes of practice for Internet Service Providers</b>
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		<a href="http://www.telesa.or.jp/e_guide/e_guid01.html">http://www.telesa.or.jp/e_guide/e_guid01.html</a>
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		<b>Guidelines for Electronic Direct Marketing</b>
Objective		Electronic commerce targeting consumers in Japan
Enforcement mechanism(s)		Compulsory to the JADMA members
Leader(s) initiative	Issuing/ implementing organisation(s)	Japan Direct Marketing Association(JADMA)
	Supporting organisation(s)	Ministry of International Trade and Industry
[expected] Date of issuance / implementation		19 <sup>th</sup> January, 1999
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan
Examples of application		The examples as yet
Participation public sector		
For full text/further information consult/contact		<a href="http://www.JADMA.org">http://www.JADMA.org</a> <a href="mailto:jadma@JADMA.org">jadma@JADMA.org</a>
Possible/expected evolution of the initiative		will be amended as needed

Name of initiative		<b>Guidelines for Protecting Personal Information in Cyber Business</b>
Objective		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 comprises 115 enterprises
Participation public sector		
For full text/further information consult/contact		<a href="http://www.fmmc.or.jp/associations/cba/index_english.html">http://www.fmmc.or.jp/associations/cba/index_english.html</a> 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		<b>Guidelines for transactions between virtual merchants and consumers</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>Guidelines for Use of Smart Cards (contact/contactless)</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		---

Name of initiative		<b>Guidelines on Personal Information Protection in Electronic Commerce in the Private Sector</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>High assurance general ID-certificate with private key protected in an electronic ID-card</b>
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		<b>Hotlines against illegal content, child pornography, and racism/discrimination on the Internet</b>
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 <a href="http://www.meldpunt.org/">http://www.meldpunt.org/</a>
Participation public sector		Law department, department of the interior, police
For full text/further information consult/contact		<a href="http://www.nlip.nl/">http://www.nlip.nl/</a> <a href="http://www.meldpunt.org/">http://www.meldpunt.org/</a> <a href="mailto:fred.eisner@nlip.nl">mailto:fred.eisner@nlip.nl</a> (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		<b>ICC E-Terms repository</b>
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>ICC Internet advertising guidelines</b>
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		The Guidelines serve as a basis for many self-regulatory e-advertising schemes currently being set up (some examples can be found in this Annex). They have been endorsed by over 100 companies and associations, and supported by the Global Business Dialogue for Electronic Commerce.
Participation public sector		None
For full text/further information consult/contact		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Viviane Schiavi, +33-1-49532809
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>International Content Rating Association (ICRA)</b>
Objective		Our mission is to develop, implement and manage an internationally acceptable voluntary self-rating system which provides Internet users world wide with the choice to limit access to content they consider harmful, especially to children.
Enforcement mechanism(s)		Every content provider must agree to terms and conditions stating that they have not wilfully misrepresented themselves. In addition, every site is visited, spot checks undertaken and full audit of sites conducted. An automated web crawler visits every site to check for label integrity. We also respond to comments, complaints and suggestions from the general public.
Leader(s) initiative	Issuing/ implementing organisation(s)	RSACi, the rating system, is owned and operated by the Internet Content Rating Association.
	Supporting organisation(s)	ICRA members include: AOL Europe; Aol Inc.; Bell Canada; British Telecom; Bertelsmann Foundation; Cable & Wireless; Demon Internet (UK); Deutsche Telekom Online Service; Electric Network Consortium, Japan; Geotrust; EuroISPA; IBM; Internet Watch Foundation; Microsoft; Software and Information Industries Association; UUNet
[expected] Date of issuance / implementation		RSACi the rating system was launched in April 1996; A new system will be launched by ICRA in the summer 2000
Scope	General	The rating system is used by both content providers to self-rate their sites and by parents and other users to block potentially harmful material within their browsers.
	Sector	The system is applicable to all sectors in all parts of the world. Commercial, educational, government, military and personal sites have all rated with RSACi.
	Geographic	Global
Examples of application		Over 120,000 sites world-wide have rated with RSACi at a rate of 4,000/month. RSACi has been implemented within both Microsoft's Internet Explorer and Netscape's Navigator.
Participation public sector		ICRA has worked closely with government departments and agencies all over the world. Meetings have been held with the US Dept of Commerce, OECD, the Australian Broadcasting Authority and the European Commission amongst others.
For full text/further information consult/contact		Stephen Balkam; Executive Director; Internet Content Rating Association; 3460 Olney-Laytonsville Road; Suite 202; Olney, Maryland 20832; USA; +1 301 260 8669; <a href="mailto:info@icra.org">info@icra.org</a> and David Kerr; Secretary General; Internet Content Rating Association; 5 Coles Lane; Oakington, Cambridge CB4 5BA; UK; +44 (1223) 23 7700; <a href="mailto:chief@iwf.org.uk">chief@iwf.org.uk</a>
Possible/expected evolution of the initiative		A new system to be launched in the summer of 2000 to include new rating categories and vocabulary.

Name of initiative		<b>International DOI Foundation</b>
Objective		To support the needs of the intellectual property community in the digital environment, and specifically to promote and develop the use of the Digital Object Identifier as an actionable, interoperable identifier applicable to all items of Intellectual Property.
Enforcement mechanism(s)		An implementation of the Uniform Resource Name/ Uniform Resource Identifier specification as defined by the IETF and W3C. Conformance to standard syntax and other rules laid down by the Foundation and where appropriate formalised as international standards.
Leader(s) initiative	Issuing/ implementing organisation(s)	The International DOI Foundation
	Supporting organisation(s)	The Foundation is an open consortium that any organisation may join. Current members are: <b>CHARTER MEMBERS:</b> Association of American Publishers; Academic Press/Harcourt Brace; American Chemical Society; Blackwell Science; Elsevier Science; International Publishers Association; Institute for Scientific Information; ISBN International; John Wiley & Sons; MCPS/PRS/BUMA/STEMRA Alliance of European Music Rights Societies*; Springer Verlag; International Association of Scientific, Technical and Medical Publishers. <b>GENERAL MEMBERS:</b> Addison Wesley Longman; American Mathematical Society; Association for Computing Machinery; Associazione Italiana Editori; Authors Licensing and Collecting Society (ALCS)*; Bokforlaget Natur Och Kultur; Copyright Clearance Center; EDP Sciences; Houghton Mifflin; IEEE; Kluwer Academic Publishers; Microsoft Corporation; National Music Publishers Association; New England Journal of Medicine; OCLC Online Computer Library Center Inc.; Publishers Licensing Society; RCP Consultants; SilverPlatter Information; The Thomson Corporation; Xerox Corporation. In addition, several other organisations are currently assigning DOIs and/or working on prototype applications
[expected] Date of issuance / implementation		DOIs have been issued since October 1998. The DOI system is currently under further development.
Scope	General	Intellectual property rights owners and users
	Sector	Non sector-specific
	Geographic	World
Examples of application		Persistent identification of works
Participation public sector		Open
For full text/further information consult/contact		Norman Paskin, Director, International DOI Foundation PO Box 233; Kidlington, Oxford; OX5 1XU; U.K.; Tel: (+44) 1865 843798; Fax: (+44) 1865 843446; E mail: <a href="mailto:n.paskin@doi.org">n.paskin@doi.org</a> <a href="http://www.doi.org">www.doi.org</a>  Administrative offices: - U.S.: The International DOI Foundation; c/o Association of American Publishers; 50 F Street, N.W., 4th Floor; Washington, DC 20001; Phone: (+1) 202 220 4553; Fax: (+1) 202 347 3690 - The International DOI Foundation; c/o International Publishers Association; 3, avenue de Miremont; CH-1206, Geneva; Switzerland; Tel (+41) 22 830 1080; Fax (+41) 22 830 1081
Possible/expected evolution of the initiative		Further development of the DOI system in collaboration with existing standard mechanisms for identification and metadata. Appointment of multiple registration agencies and further application development. Development of standard tools for more sophisticated resolution of identifiers.



Name of initiative		<b>Internet One</b>
Objective		Provide identification of legitimate Internet trading companies through an authoritative listing facility associating trademarks; brand names, company names, telephone numbers, directly with internet addresses, URLs, IP addresses and domain names, irrespective of the country code top level domains or generic top level domains in which registration has been effected. Correlating "real world" identifiers with those of the "virtual world" gives consumers greater certainty that the entity known to them in the real world is indeed that visible to them in the virtual world. Legitimate Internet traders register their details against a nominal charge through a recognized domain name registrar, Internet service web hosting company, certification authority, PTT operator or with IN ONE directly. Users may retrieve registered information, free of charge, using any standard Internet browser, entering in the address line of the browser the requisite trademark/company name/telephone nr, followed by ".io" to be referred directly to the registered Internet site. Where multiple identical trademarks/brandnames/company names are entered, the IN ONE system automatically generates a directory style listing from which the user may distinguish and select their desired company/destination. IN ONE will warn consumers within about 4 seconds of being notified of the potential infringement that the goods or services may be imitations of their reputable namesakes. IN ONE leaves the determination of who is a legitimate trader up to specialized agencies.
Enforcement mechanisms		On-line dispute resolution/arbitration facilities <a href="http://internetONE.wipo.int">http://internetONE.wipo.int</a> National courts
Leader(s) initiative	Issuing/ implementing organisation(s)	Internet ONE Research Institute for Computer Science World Intellectual Property Organization
	Supporting organisation(s)	Council of Internet Domain Name Registrars World Chambers of Commerce Network Electronic Commerce Associations
[expected] Date of issuance / implementation		Current
Scope	General	Business-to-business and business-to-consumer
	Sector	Non sector-specific
	Geographic	Global
Examples of application		IN ONE is the only authoritative directory on the Internet today using pioneering technology to a non-proprietary platform.
Participation public sector		Group of Eight Industrialized Nations, Government of Australia, France, Germany, Korea, Soviet Union, UK, USA and European Commission.
For full text/further information consult/contact		<a href="http://www.io.io">http://www.io.io</a> Internet ONE P.O. Box 4040 Christchurch Dorset BH23 1XW Fax 44 1202 430 580
Possible/expected evolution of the initiative		IN ONE is seeking additional strategic partners from all nations and field of e-commerce. Designed in the UK, IN ONE and its partners have servers and infrastructure in New York, London, Amsterdam, Tokyo and Melbourne and already just under 100 partners from 23 countries. Readers of various Internet magazines voted IN ONE "best consumer customer service" at the recent European Internet Industry Awards 1999.

Name of initiative		<b>Memorandum of Understanding on Open Access to Electronic Commerce for European SMEs</b>
Objective		To promote technical compatibility of e-commerce systems and services and wide acceptance of "good practices" to build confidence in the use of electronic commerce for companies of all sizes, in particular European SMEs. The MoU identifies important bottlenecks in the development of electronic commerce, organizations that play a major role in contributing to self-regulatory solutions and proposes good practice guidelines in relevant areas.
Enforcement mechanisms		Voluntary. MoU signatories have a moral obligation to adhere to the standards set out within the MoU and may be held to it in some jurisdictions.
Leader(s) initiative	Issuing/ implementing organisation(s)	The MoU Steering Committee consisted of volunteers from a variety of business and association backgrounds.
	Supporting organisation(s)	The European Commission. Associated members from Italian data protection authority and the Greek Finance Ministry. Organizations such as CEN/ISSS, ICC and others assisted in creating the issue inventory.
[expected] Date of issuance / implementation		The MoU was finalized in March 1999 with over 130 signatories from all sectors of economic activity.
Scope	General	All aspects of electronic commerce
	Sector	Non sector-specific
	Geographic	The MoU is European in scope but global in approach
Examples of application		The MoU has undoubtedly had an impact on European company practice as well as on regulatory activity in several areas within the European Commission. It has been presented to a wide range of governmental and business organizations.
Participation public sector		The European Commission played a facilitating role only and has had no involvement in the substance of the MoU.
For full text/further information consult/contact		C. Paleologos, European Commission DG XIII Email <a href="mailto:constatin.paleologos@bx1.dg13.cec.be">constatin.paleologos@bx1.dg13.cec.be</a> Drs J. de Ruiter, Head Electronic Commerce & Consultancy ABN/AMRO Bank Email <a href="mailto:han.de.ruiter@nl.abnamro.com">han.de.ruiter@nl.abnamro.com</a> <a href="http://www.ispo.cec.be/ecommerce/mou/default.htm">www.ispo.cec.be/ecommerce/mou/default.htm</a>
Possible/expected evolution of the initiative		Upon its completion, the MoU group dissolved itself and recommended that its work be continued within existing structures identified in the final report. Only in the area of consumer trust, the MoU suggested that follow-up work be done through a European Round Table for Enhancing Consumer Confidence in the Electronic Marketplace. Discussions on the creation of such a roundtable are ongoing with European business and consumer organizations.

Name of initiative		<b>Model contract clauses for transborder dataflows</b>
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 – a revised version was issued in July 1999
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		Will be updated regularly as needed

Name of initiative		<b>Model electronic sales contract</b>
Objective		Based on ICC's model contract for the international sale of goods, this new online service will provide parties with tailor-made fair sales contracts.
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 made available in 2000.
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Christiaan van der Valk, +33-1-49532913
Possible/expected evolution of the initiative		---



**International Chamber of Commerce**

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Initiative		<b>New Zealand Internet Marketing Standards Authority (IMSA)</b>
Objective		Set up a self-regulatory certification and adjudication scheme for internet advertising and consumer complaint resolution in New Zealand. Advertising Codes of Practice administered by the New Zealand Advertising Standards Authority (supplemented where appropriate by the ICC Guidelines on Advertising and Marketing on the Internet) will be applied to ensure consumer and governmental confidence in a self regulatory system to maintain standards in Advertising on the Internet. The certification process will include requirements of the advertiser seeking certification as to the delivery of products and services offered and the availability of dispute resolution mechanisms for the benefit of the consumer.
Enforcement Mechanism(s)		Voluntary agreements between advertisers, agencies, print and electronic media and New Zealand based internet service providers to observe standards required by the Fair Trading Act and related consumer protection legislation together with the Advertising Standards Authority Voluntary Codes of Advertising Practice and published ICC Codes and Guidelines. The agreement will require the advertiser to accept the jurisdiction of IMSA in determining consumer complaints arising from products and services purchased from the internet once the advertisers' internal dispute resolution procedures have been exhausted. The implementation of a verification programme modelled in the UK 'Trustmark' scheme. The scheme will be promulgated by the New Zealand Chambers of Commerce & Industry (administered by the Wellington Regional Chamber of Commerce). IMSA decisions will be published on a special website, supplemented by the dissemination (free of charge) of written decisions to the media, government bodies, advertisers and advertising agencies. Certification will not extend to the content of any advertisement or the conduct of the advertiser. This is the rationale for the separation of the certification body and the adjudication body. New Zealand experience indicates that publicity provides the most effective method of enforcement of standards but it is also intended to seek agreement of internet service providers to remove sites containing offending material and to develop cross-border alliances to achieve effective enforcement.
Leader(s) Initiative	Issuing Implementing Organisation	New Zealand Internet Marketing Standards Authority (Inc)
	Supporting Organisation(s)	The New Zealand Advertising Standards Authority; The New Zealand Chambers of Commerce; The Ministry of Consumer Affairs; ICC New Zealand National Committee of Advertising, Marketing & Distribution; Association of New Zealand Advertisers; Association of New Zealand Advertising Agencies; Direct Marketing Association of New Zealand
Date of Issuance		December 1999 (subject to consultation)
Scope	General	Business to consumer primarily, business to business secondary
	Sector	All
	Geographic	New Zealand with cross-border alliances
Examples of Application		The New Zealand Advertising Standards Authority has processed and adjudicated on complaints arising from advertising on the internet. To enable implementation of a certification process separation from the Advertising Standards Authority is deemed preferable. The Ministry of Consumer Affairs is seeking effective

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	mechanisms for consumer complaint resolution arising from internet purchases. It supports the establishment of IMSA as the mechanism for achieving this end.
Participation Public Sector	IMSA has commenced consultation with Government Agencies with the intent of obtaining governmental recognition and endorsement of a self regulatory regime for maintenance of standards for advertising on the internet. Further consultation is occurring with trade bodies associated with advertising in New Zealand, Internet Service Providers, Chambers of Commerce and related trade bodies.



Full Text/ Further Information	<p>1) Glen Wiggs – Executive Director; Advertising Standards Authority P O Box 10675, Wellington; New Zealand; Ph: 64-4-472-7852; Fax: 64-4-471-1785; E-mail: <a href="mailto:asa@asa.co.nz">asa@asa.co.nz</a>; Web Site: <a href="http://www.asa.co.nz">www.asa.co.nz</a></p> <p>2) John Swan – Chair; ICC New Zealand National Committee on Marketing, Advertising &amp; Distribution; P O Box 10530, Wellington New Zealand; Ph: 64-4-472-0165; Fax: 64-4-472-0162; E-mail: <a href="mailto:swan@gilbertswan.co.nz">swan@gilbertswan.co.nz</a>; Web Site: <a href="http://www.wgtn-chamber.co.nz">www.wgtn-chamber.co.nz</a></p> <p>3) Keith Manch; General Manager; Ministry of Consumer Affairs P O Box 1473, Wellington; New Zealand; Ph: 64-4-472-2905 Fax: 64-4-4739400; e-mail: <a href="mailto:manchk@moc.govt.nz">manchk@moc.govt.nz</a>; Web Site: <a href="http://www.consumer-ministry.govt.nz">www.consumer-ministry.govt.nz</a></p>
Evolution	<p>Following establishment of the adjudication and certification scheme in New Zealand, alliances will be established with similar bodies internationally to enable an effective system of self regulatory controls on internet advertising to be established. Liaison will be maintained with ICC to ensure conformance with ICC objectives in this regard.</p>

Name of initiative		<b>The Online Mark System for Winning Trust for Electronic Commerce</b>
Objective		To help consumers avoid trouble with false or deceptive EC merchants. The seal of approval are displayed on the homepages of EC merchants known to be engaged in legitimate business .
Enforcement mechanism(s)		Voluntary
Leader(s) initiative	Issuing/ implementing organisation(s)	Issuing/implementing organisation ; Electronic Commerce Promotion Council of Japan(ECOM)
	Supporting organisation(s)	
[expected] Date of issuance / implementation		March,1999
Scope	General	Business-to-consumer
	Sector	Non sector-specific
	Geographic	Japan(For the shops whose headquarters are in Japan)
Examples of application		
Participation public sector		
For full text/further information consult/contact		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		Will be updated as needed



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Name of initiative		<b>Online Ombuds Office</b>
Objective		Online mediation and arbitration services
Enforcement mechanism(s)		
Leader(s) initiative	Issuing/ implementing organisation(s)	Center for Information Technology and Dispute Resolution
	Supporting organisation(s)	University of Massachusetts
[expected] Date of issuance / implementation		Established in 1996
Scope	General	Internet related disputes
	Sector	Commercial and Non-commercial
	Geographic	International and Domestic
Examples of application		Domain name disputes, consumer, intellectual property
Participation public sector		
For full text/further information consult/contact		www.ombuds.org, <a href="http://www.umass/dispute">www.umass/dispute</a>
Possible/expected evolution of the initiative		

Name of initiative		<b>The Online Privacy Alliance (OPA)</b>
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 85 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		OPA engages in significant business outreach to promote the posting of privacy policies. This outreach has greatly contributed to the increase of posted privacy policies on websites from 14% in March 1998 to 60% with the top 100 websites increasing from 71% to 94.4%."
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		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
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		PKI Assessment Guidelines
Objective		<p>Describe the relevant components of a Public Key Infrastructure (PKI) and provide guidelines to assist certification authorities, relying parties, and other communities of interest, licensing or regulatory (including consumer protection) bodies, communities of interest, and others in making independent assessments of PKI trustworthiness. In particular, the PAG:</p> <ul style="list-style-type: none"> <li>• provides a framework and guidelines for assessment of a PKI and PKI components, but does not mandate any particular criteria or conclusions;</li> <li>• explains the basics of PKI assessment covering such topics as relevant terminology, and a tutorial;</li> <li>• provides assistance in the drafting and analysis of certificate policies, certification practice statements; relying party agreements, and subscriber agreements, and</li> <li>• includes various useful annexes, including sample scenarios and corresponding considerations for "typical" trustworthy transactions that are intended to enhance interoperability and certainty.</li> </ul> <p>The PAG is a logical extension of the Digital Signature Guidelines, (the "DSG"), a four and 1/2-year project of the American Bar Association's Information Security Committee published in August 1996. Although the focus and scope of the DSG and PAG differ, both are the product of intensive collaboration among technical, legal, business, and auditing professionals from around the world. Both are intended to facilitate secure electronic commerce.</p>
Enforcement mechanism(s)		Voluntary adoption
Leader(s) initiative	Issuing/ implementing organisation(s)	Information Security Committee of the American Bar Association Information's Section of Science and Technology.
	Supporting organisation(s)	In informal cooperation with diverse private and public entities.
[expected] Date of issuance / implementation		Sometime during 2000.
Scope	General	Business-to-business as well as consumer-to-business also addresses government-to-citizen
	Sector	Non-sector specific
	Geographic	Global in scope
Examples of application		Quality assessment, evaluation for interoperability, underpinnings of seal programs, and basis for licensure.
Participation public sector		Considerable – informal and incremental participation in the ISC's drafting of the PAG
For full text/further information consult/contact		Michael Baum, Chair, Information Security Committee: michael@verisign.com; Ruven Schwartz, Vice Chair, Information Security Committee, <a href="mailto:ruven.schwartz@westgroup">ruven.schwartz@westgroup</a> ; or S&T Section Manager Ann Kowalsky: KowalskyA@STAFF.ABANET.ORG
Possible/expected evolution of the initiative		Updated quarterly, indefinitely.

Name of Initiative		<b>Platform for Privacy Preferences (P3P)</b>
Objective		Build privacy protection and personal information management tools into the infrastructure of the World Wide Web
Enforcement mechanism(s)		P3P is a voluntary technical specification
Leader(s) initiative	Issuing/ implementing organisation(s)	World Wide Web Consortium
	Supporting organisation(s)	330+ W3C member organizations around the world
[expected] Date of issuance / implementation		Fall 1999
Scope	General	Privacy protection
	Sector	
	Geographic	Global
Examples of application		Ecommerce services on the Web provide users information about site's privacy practices and give users control over handling of personal information according to the users individual preferences
Participation public sector		Active consultation with US Government, European Commission, and other national governments
For full text/further information consult/contact		Daniel J. Weitzner, Technology and Society Domain Leader, <djweitzner@w3.org> <a href="http://www.w3.org/p3p">http://www.w3.org/p3p</a>
Possible/expected evolution of the initiative		P3P may be the platform for empowering consumers to address consumer protection and choice of law issues in a global environment

Name of initiative		<b>Security Guidelines for Smart Card Electronic Money Systems</b>
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		<a href="http://www.ecom.or.jp/ecom_e">http://www.ecom.or.jp/ecom_e</a> <a href="mailto:info@ecom.or.jp">info@ecom.or.jp</a>
Possible/expected evolution of the initiative		---

Name of initiative		<b>Self-regulation for e-commerce marketing</b>
Objective		<ul style="list-style-type: none"> <li>to enhance consumer trust and confidence on electronic commerce;</li> <li>to promote best business practices for electronic commerce &amp; therefore promote the growth of e-commerce in Europe.</li> </ul> <p>These objectives would be achieved through the implementation of seven key elements which take into full consideration present consumer concerns: European Code of Conduct, European Guarantee Seal, Enforcement Mechanisms, Monitoring and Surveillance, Specific Software tools, specific services and awareness campaign.</p>
Enforcement mechanism(s)		A company signs a license agreement committing to respect the code of conduct and enforcement mechanisms. An Enforcement Committee composed by business and consumers will revise any complaints on non-compliance of the code of conduct.
Leader(s) initiative	Issuing/ implementing organisation(s)	Federation of European Direct Marketing, FEDMA
	Supporting organisation(s)	National Direct Marketing Associations in Europe
[expected] Date of issuance / implementation		Mid-2000
Scope	General	Business-to-consumer
	Sector	Any company having a web site
	Geographic	Europe
Examples of application		FEDMA has 500 direct company members and 17 national direct marketing associations which makes an overall of around 8000 companies.
Participation public sector		Only in funding
For full text/further information consult/contact		Alastair Tempest: <a href="mailto:atempest@fedma.org">atempest@fedma.org</a> Asunción Caparrós: <a href="mailto:acaparros@fedma.org">acaparros@fedma.org</a>
Possible/expected evolution of the initiative		The whole project could be developed internationally through the International Federation of Direct Marketing Associations (IFDMA).

Name of initiative		<b>The Standard for Internet Commerce</b>
Objective		<p>The primary goal of The Commerce Standard is to advance global Internet commerce by catalysing the adoption of merchant practices that:</p> <ul style="list-style-type: none"> <li>-Increase consumer satisfaction, confidence and trust.</li> <li>-Improve merchant profitability and innovation.</li> </ul>
Enforcement mechanism(s)		To be developed
Leader(s) initiative	Issuing/ implementing organisation(s)	Global Information Infrastructure (GII) – a Ziff Davis business
	Supporting organisation(s)	More than 250 CEOs from business, I(N)GOs and academic institutions from Europe and US
[expected] Date of issuance / implementation		December 1999
Scope	General	Business to consumer
	Sector	Non-sector specific
	Geographic	Global
Examples of application		Not implemented yet
Participation public sector		Yes

For full text/further information consult/contact	Jim Hake, Founder and Chairman, <a href="mailto:jim@gii.com">jim@gii.com</a> <a href="http://www.commercestandard.com">http://www.commercestandard.com</a> , <a href="http://www.gii.com">http://www.gii.com</a> ; Rivka Tadjer, Editor, <a href="mailto:rivkat@mindspring.com">rivkat@mindspring.com</a> ; Melanie McMullern, General Manager, GII, <a href="mailto:Melanie_McMullen@zd.com">Melanie_McMullen@zd.com</a>
Possible/expected evolution of the initiative	Is growing into multi-stakeholder non-profit organisation.

Name of Initiative		<b>SILEC (Inter-American Society for the Freedom of Commercial Speech)</b>
Objective		To defend freedom of commercial speech and to fight for recognition of the consumer's right to be fully informed regarding all lawful products throughout Latin America. Three main lines of action: (1) communication of the doctrine of freedom of commercial speech; (2) promotion of advertising self-regulation; (3) dialogue with legislators and government.
Enforcement mechanism(s)		Voluntary acceptance of our guidelines, norms and recommendation by the leaders and other members of the advertising industry. We work through bi-annual regional assemblies, symposia, seminars, conferences, alliances, meetings with government authorities, publications, etc. We strongly promote industry self-regulation through a council formed by advertisers, advertising agencies and the media, using the ICC code of ethics as a guide. Finally, due to the increase of globalization of advertising and growth in Internet usage and e-commerce throughout the region, we are also trying to create a Regional Self-Regulation Alliance with the objective of improving and/or promoting self-regulation and develop a complaint system for cross-border advertising.
Leader(s) initiative	Issuing/ implementing organisation(s)	SILEC is formed by 14 Latin American countries' advertisers, advertising agencies and the media, represented by their trade associations. Working with trade associations allows us to act quickly and efficiently.
	Supporting organisation(s)	Our efforts are also supported by – among others – the International Advertising Association (IAA).
[expected]	Date of issuance / implementation	SILEC was founded in Caracas, Venezuela on August 9, 1992
Scope	General	Business-to-Business action / observations. However, the implementation of self-regulation is aimed at giving consumers confidence in advertising and reducing incentives for government regulation.
	Sector	The advertising industry
	Geographic	Latin American region
Examples of application		SILEC has caused the number of self-regulation systems in the region to double from 4 to 8 since its inception. Awareness of the value and importance of self-regulation has been significantly heightened among Latin American industry leaders. Governments in the region have changed their attitude toward self-regulation for advertising as a possible substitute to legislative restrictions. We have achieved higher ethical standards among professionals leading the advertising and communications industry. The initiative has also prevented the enactment of laws that would restrict or prohibit advertising for lawful products.
Participation public sector		None
For full text/further information consult/contact		José M. Gonzalez-Llorente PMB 406 1172 South Dixie Highway Coral Gables, FI 33146-2918 USA Fax: +1-305-661 8017 e-mail: <a href="mailto:jglllorente@aom.com">jglllorente@aom.com</a> <a href="http://www.silecinternacional.com">www.silecinternacional.com</a>
Possible/expected evolution of the initiative		Affiliation of the remaining 5 Latin American countries. Creation of a culture of freedom of commercial speech, ethics and responsibility in advertising in Latin American markets. The conversion of Latin America into a self-regulated region in the next 5 years. The education of new generations of advertising

	professionals on the subject of ethics and self-regulation. The inception of a Latin American Self-Regulation Alliance to improve existing self-regulation, promote it in the markets where this practice does not exist, and develop a complaint system for cross-border advertising. And as a result of all that, avoid unwarranted government regulation.
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Name of initiative		<b>Testbedding and Evaluation Model for Shopping Mall Construction Technologies (Mall Expression, Display, and Operability)</b>
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		<a href="http://www.ecom.or.jp/ecom_einfo@ecom.or.jp">http://www.ecom.or.jp/ecom_einfo@ecom.or.jp</a>
Possible/expected evolution of the initiative		---

Name of initiative		<b>TradeCard</b>
Objective		To create an electronic network that enables buyers and sellers to comply against documents needed for trade transactions and settle payment based upon compliance.
Enforcement mechanism(s)		Membership Contract ICC guidelines
Leader(s) initiative	Issuing/ implementing organisation(s)	TradeCard Inc.
	Supporting organisation(s)	WTCA (World Trade Centers Association)
[expected] Date of issuance / implementation		First Quarter 2000
Scope	General	Business to business
	Sector	Import/Export Community
	Geographic	Global
Examples of application		Currently in pilot with some of the world's leading international businesses
Participation public sector		
For full text/further information consult/contact		Michael Klausner, VP, Marketing <a href="mailto:miklausner@tradecard.com">miklausner@tradecard.com</a>

Possible/expected evolution of the initiative	To reduce the barriers to trade To simplify and innovate the current trade finance process To increase the volume of world trade
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Name of Initiative		<b>TRUSTe</b>
Objective		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. 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)		Sites that choose to become licensees of the TRUSTe program must sign a one-year contractually binding 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 site must demonstrate, to TRUSTe's satisfaction, compliance with the TRUSTe privacy principles prior to obtaining the TRUSTe seal or 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. 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. TRUSTe also offers its special Children's privacy Seal, which has heightened requirements for websites directed at children under 13.
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	US, with presence established in Europe and Asia
Examples of application		# of licensees: 850 sites as of July 15, 1999 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 testified at congressional hearings and has presented its program internationally to OECD-led privacy workshops.
For full text/further information consult/contact		<a href="http://www.truste.org">www.truste.org</a> Paula J. Bruening <a href="mailto:Pbruening@truste.org">Pbruening@truste.org</a> 1816 S St NW Washington DC 20009 1-202-484-1900 1-408-342-1950

Possible/expected evolution of the initiative	<p>The TRUSTe program has evolved in the 2 years 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.</p>
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Name of initiative		<b>TTP.NL</b>
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. In the project TTP.NL working groups develop criteria that TTPs should comply with, an accreditation- and certification scheme and a supervising body that TTPs can join voluntarily.
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 Management; 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 (Mr. Arie van Bellen) Nicolette.docter@ecp.nl (Ms. 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.

Name of initiative		<b>URETS (Uniform Rules for Electronic Trade and Settlement)</b>
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		<a href="http://www.iccwbo.org">http://www.iccwbo.org</a> Christiaan van der Valk +33-1-49532913
Possible/expected evolution of the initiative		---





Name of initiative		<b>World Chambers Network (WCN)</b>
Objective		WCN allows chambers of commerce to promote their companies to the world and to network with other chambers of commerce around the world. Through their local chamber's participation, SME's have access to a global electronic network on the Internet for the exchange of business information and opportunities.
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
[expected] Date of issuance / implementation		1994
Scope	General	Chamber-to-chamber. Business-to-business.
	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		<a href="http://www.worldchambers.com">http://www.worldchambers.com</a> Anthony Parkes, +33-1-49532967
Possible/expected evolution of the initiative		WCN will link into its system, the products and services of the chambers of commerce around the world. The network will expand its qualified, validated business opportunity service, providing a higher level of trust through the intervention of trusted third parties - chambers of commerce.

## **About the Alliance for Global Business**

The Alliance for Global Business (AGB, "the Alliance") is a co-ordinating mechanism of leading international business organisations created to provide private sector leadership on information society issues and electronic commerce. Jointly, these organisations represent the bulk of electronic commerce in almost all countries in the world. The coalition represents a diverse cross section of business in over 140 countries. Membership includes providers and users of information technology, large multinational enterprises and small start-ups, and companies in developing as well as developed economies.

The AGB's founding members are:

### **BIAC – Business and Industry Advisory Committee to the OECD ([www.biac.org](http://www.biac.org))**

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.

### **GIIC - Forum for the Global Information Infrastructure ([www.giic.org](http://www.giic.org))**

Launched in 1995, the Forum for the Global Information Infrastructure (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 infrastructure 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 H. Brian Thompson, (chairman and CEO of Universal Telecommunications), 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.

### **ICC - International Chamber of Commerce ([www.iccwbo.org](http://www.iccwbo.org))**

ICC is the world business organization. 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 world-wide. 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.

### **INTUG - International Telecommunication Users Group ([www.intug.net](http://www.intug.net))**

INTUG is an international association of users of communications technology and 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 ([www.witsa.org](http://www.witsa.org))**

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.

**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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