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CANADA - COSTA RICA
JOINT STATEMENT ON GLOBAL ELECTRONIC COMMERCE

The Government of the Republic of Costa Rica and the Government of Canada attach great importance to the development of an information society and economy, and recognise the importance of working together, both bilaterally and through multilateral efforts to create a co-ordinated and consistent international approach aimed at maximising benefits for all. These developments will be instrumental in enhancing public participation, raising standards of living, accelerating the flow of information and knowledge, and creating new job opportunities. Electronic commerce in particular will be one of the major driving forces of the 21st century, enhancing productivity and innovation; creating jobs and new markets; improving the quality of services; and offering consumers greater choice.

Canada and Costa Rica share a vision for the development of a global information society, and recognise the need for an international environment, which supports the growth of electronic commerce and maximizes social potential for citizens. In order to foster this environment, they will actively work in concert with the private sector, other governments, civil society and international organisations.

PURPOSE

This joint statement is intended to promote the development of electronic commerce by:

- supporting and endorsing a shared vision and policy principles for the global environment which facilitates the growth of electronic commerce;
- committing to an action agenda between Canada and Costa Rica with governments, businesses, and consumers in key areas of electronic commerce.

SHARED VISION FOR GLOBAL ELECTRONIC COMMERCE

Canada and Costa Rica will cooperate bilaterally and collaborate in furthering the work of international organizations to create a positive environment for the growth of electronic commerce, based on:

1. Building trust for users and consumers - ensuring safeguards to provide protection and increase confidence in the digital marketplace by addressing such issues as privacy, security, and consumer protection.

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2. Establishing transparent, objective ground rules for the digital marketplace - recognizing that existing legal and commercial frameworks in areas such as contract law and intellectual property apply to electronic transmissions and take into account the future growth of e-commerce and its social potential.
3. Enhancing the information infrastructure - by ensuring effective access to low cost, high quality telecommunications networks and services for e-commerce.
4. Maximizing the social and economic benefits - addressing the needs of business, including small and medium-sized enterprises (SMEs), organizations, and consumers in developing and developed countries.
5. Promoting global participation - developing a broad collaborative approach that includes governments, the private sector, the wider community, and international organizations which aims at maximizing the social and economic potential of electronic commerce across all economies and societies.

GUIDING PRINCIPLES

The following principles form the basis for cooperation between Canada and Costa Rica in promoting the growth and use of electronic commerce and future development of the information society:

- The private sector should lead in providing the investment and innovation necessary to foster the growth of electronic commerce. It also has a key role, in partnership with governments and the wider community, to ensure that domestic and international business practices facilitate trust and consumer confidence.
- In meeting the public interest, it is the primary role of governments to create a favourable environment for global electronic commerce, for both business and consumers, and to maximize its potential for social, civic and community development in a manner which:
 - optimizes private sector investment, innovation and initiative in a competitive environment;
 - minimizes legal and regulatory barriers to electronic trade, and avoids the emergence of new ones while recognizing the right of governments to pursue public policy objectives.
 - provides confidence in the instruments and networks of electronic commerce through appropriate government action and use of policy tools (i.e., legislation, regulation, and self-regulation) which are clear, transparent, and predictable and which protect the public interest and the rights of consumers.
 - takes account of the needs and interests of the wider community through consultation with representative groups.

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- Governments also have a key role to play in the growth of electronic commerce acting as a 'model user' and support for private sector-led initiatives and call-to-action. Governments can both enhance business and user confidence, and improve administration by pursuing excellence in the online delivery of government services and information using electronic payment systems and public key infrastructure and other authentication technologies.
- International cooperation and harmonization among all countries, based on international standards, will assist in the construction of a seamless global environment for electronic commerce and extend its benefits to all.

AGENDA FOR CANADA -- COSTA RICA COOPERATION

Recognizing that bilateral cooperation can complement and advance the development of essential multilateral frameworks, Canada and Costa Rica agree on the following agenda for cooperation and will undertake to implement it both in their respective national policies and internationally:

1. **Bilateral Action** -- Actively promote sharing of information, knowledge and expertise and cooperation between the governments of Canada and Costa Rica, with the participation of the private sector and the wider community in both countries in undertaking action on the issues contained in this statement. Canadian and Costa Rican representatives will meet regularly, notably taking advantage of existing international meetings, to further this agenda and facilitate the translation of this cooperation into meaningful international frameworks. Key priorities for joint work over the next year include:

Consumer protection -- Consumers who participate in electronic commerce should be afforded transparent and effective consumer protection that is not less than the level of protection afforded in other forms of commerce. One aspect of the promotion of consumers' rights can be accomplished through the enforcement of effective consumer protection laws and laws governing privacy in the digital context. The Canadian and Costa Rican governments also agree to support measures to promote consumer confidence in electronic markets, including consumer trustmarks and related alternative dispute resolution mechanisms and will exchange information on national approaches, consumer concerns and private sector mechanisms being put in place.

E-Government -- In light of the importance of governments as model users of information technology, Canada and Costa Rica have placed a high priority on transforming their respective governments through widespread adoption of on-line service delivery. To this end, Canadian and Costa Rican representatives will:

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- seek to share information in areas related to e-government;
- promote collaborative approaches to international benchmarking.

Privacy -- Privacy should be effectively protected with regards to the processing of personal data on global networks. Canada and Costa Rica agree to share information on the functioning of their respective data protection regimes.

Security (electronic signature and authentication) -- Canada and Costa Rica agree on the necessity of policies to facilitate the use of technologies for authentication and for the conduct of secure electronic commerce. To this end, both countries will discuss the various technological options for providing authentication and explore arrangements to achieve a common framework and approach that would promote electronic transactions across borders, which support a variety of authentication technologies. Canada and Costa Rica will also explore mechanisms to enhance international cooperation to combat illegal activities and to empower users with regards to potentially harmful content.

Business Partnerships -- Canada and Costa Rica recognize the importance of business partnerships to the growth of global electronic commerce, and will encourage and support the collaboration by Canadian and Costa Rican private sectors through broader cooperation initiatives, in particular in the area of research and development, technology, standards, and the interoperability of networks and electronic markets.

Market Development / E-Business Acceleration -- Canada and Costa Rica will share information, knowledge and expertise on key strategies and/or best practices aimed at ensuring that SMEs are well positioned to reap the benefits of e-business transformation.

2. **Multilateral Action** -- Continue to collaborate in relevant international fora to support the broad international growth of, and access to, global electronic commerce with the aim of fully realizing its enormous potential benefits. In particular, bilateral discussions will be undertaken to advance multilateral efforts in:

World Trade Organization (WTO) -- Canada and Costa Rica agree that the existing body of trade rules developed under the WTO apply to electronic commerce transactions, and believe that an ongoing dialogue is needed on what means can be taken to enable its growth, reduce impediments to trade, and realize the potential contribution of electronic commerce for all WTO members. Canada and Costa Rica support further work on electronic commerce issues at the WTO through an appropriate non-negotiating forum and reaffirm their support for the extension of

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the customs duty moratorium on electronic transmissions until the next ministerial conference.

Free Trade Area of the Americas (FTAA) -- Canada and Costa Rica welcome and support the current work program of the FTAA's Joint Government-Private Sector Committee of Experts on E-Commerce.

Inter-American Telecommunications Commission (CITEL) -- Canada and Costa Rica encourage the active continuation of CITEL's work program on a wide range of electronic commerce and communications technology (telephony, broadcast and radio-communication) issues including the promotion of Internet technology, the creation and maintenance of appropriate regulatory frameworks, and the encouragement of a global information infrastructure in the Americas.

World Intellectual Property Organization (WIPO) -- Both governments support WIPO's electronic commerce work programme and will collaborate on WIPO initiatives related to electronic commerce.

Digital Divide Initiatives -- Canada and Costa Rica agree to cooperate on digital divide initiatives, aimed at ensuring active participation from developing countries into the development and deployment of electronic commerce for the benefit of all. To this end, both countries will exchange information and experiences relevant to initiatives such as the G-8 Digital Opportunities Task Force (dot force), the UN ICT Task Force, and programs from Organizations such as the ITU, CITEL, the UNDP, UNCTAD and the World Bank.

Technical Standards -- The two countries support work undertaken by various international organizations such as the International Standards Organization (ISO), the International Telecommunications Union (ITU) and CITEL in work towards open, interoperable, reliable and compatible standards. These standards should be market-directed and technology neutral.