



Statement of the E-Merchants Trade Council, Inc.
House Ways and Means Trade Subcommittee Hearing on
Advancing America's Interests at the World Trade Organization's 13th Ministerial Meeting
February 21, 2024

On behalf of the E-Merchants Trade Council, Inc. (EMTC), I am Marianne Rowden, CEO of EMTC and respectfully submit this statement for the record. EMTC appreciates the opportunity to comment concerning the topics covered in the hearing on “Advancing America’s Interests at the World Trade Organization’s 13th Ministerial Meeting” held on February 7, 2024.

EMTC was formed in July 2021 to represent the interests of the e-commerce industry by creating a global community of micro, small and medium size enterprise (MSMEs) e-sellers, marketplace platforms, and service providers to resolve trade, tax and transportation challenges. EMTC’s advocacy mission is to support national and international policies that simplify cross-border transactions of physical and digital goods. EMTC facilitates dialogue among the E-Merchant worldwide community and global regulators.

As a trade association representing companies concerned about the cross-border movement of physical and digital goods, EMTC is alarmed by the U.S. abandoning its role as global leader driving trade liberalization at the World Trade Organization (WTO). It is critical for the Subcommittee to understand that e-commerce enables micro, small and medium-size enterprises (MSMEs) to engage in global because customers drive demand for online sales.

EMTC’s comments are focused on two (2) issues: completing the WTO e-commerce agreement; and the U.S. digital trade policies.

1. Completion of WTO E-Commerce Agreement

EMTC has submitted numerous statements and comments to this Subcommittee with proposals on customs modernization, specifically how to integrate e-commerce into the U.S. customs statute through the 21st Century Customs Framework (21CCF). While EMTC believes that 21CCF could serve as a model for other countries on how to modernize customs laws at the national level, EMTC believes such national efforts are no substitute for binding international trade rules at the WTO.

Despite the long-term efforts on the Work Programme on E-commerce, most recently as the Joint Statement Initiative (JSI), progress on the agreement has been painfully slow. E-commerce by its very nature is global and dynamic, so e-sellers seek an agreement on the basic trade rules and cross-border treatment of goods without national discrimination.

EMTC believes that the U.S. must prioritize the completion of this agreement at the WTO’s 13th Ministerial Meeting.

2. U.S. Withdrawal of Digital Trade Policies

EMTC was surprised when the Office of U.S. Trade Representative announced on October 25, 2023, that it was withdrawing support three key digital policies (i.e., cross-border data flows, prohibition of data localization mandates, and protection against access to source code). Cross-border e-commerce of physical goods also depends on the free flow of digital information cross-border.

All of the parties in the e-commerce ecosystem (e.g., e-sellers, third-party marketplace platforms, logistics companies, etc.) rely upon the free flow of data to execute online sales, ship and deliver goods to customers. A result of USTR's change in policy is that the JSI could not be completed at the WTO's 13th Ministerial Meeting.

EMTC hopes that the Subcommittee continues to urge USTR to support liberalized digital trade policies so that the WTO can bring the JSI to a successful conclusion.

3. Conclusion

In summary, EMTC believes that the Trade Subcommittee should continue close oversight over U.S. trade policy at the WTO as American businesses (including MSME e-sellers) depend upon global trade rules to access foreign markets.

EMTC appreciates the opportunity to comment on the hearing on Advancing America's Interests at the World Trade Organization's 13th Ministerial Meeting, and we are happy to discuss the ideas expressed above in more detail.