

**General Council Meeting
(7-8 October 2021)**

Hong Kong, China's Statement

Item 5: Preparations for the Twelfth Session of the Ministerial Conference

B. Work Programme on Electronic Commerce – Report by the Chair

Item 6: Work Programme on Electronic Commerce and Moratorium on Imposing Customs Duties on Electronic Transmissions – Request from India and South Africa

- Thank you, Chair.
- The moratorium on customs duties on electronic transmissions has underpinned a stable, predictable and conducive environment for international e-commerce for more than two decades.
- Hong Kong, China all along supports making this moratorium permanent, but if we cannot forge a consensus on this in time by MC12, we believe the moratorium should be extended further until at least the following Ministerial Conference.
- This decision will be crucial to avoiding unnecessary disruptions to the global e-commerce environment during this critical time under the pandemic, it will also contribute to a speedy post-pandemic global economic recovery.
- Thank you.

Item 12: Chairmanship of the Committee on Government Procurement – Australia; Canada; the European Union; Israel; Japan; Montenegro; New Zealand; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; the United Kingdom; and the United States

First intervention

- Thank you, Chair.
- Members would note that this is the second time that we have this item on the agenda, and Members would also recall that almost the same group of Members proposed to discuss the same matter at the previous General Council meeting just before the summer break, to which Hong Kong, China already responded by setting out our observations and position at the same meeting.
- Regrettably, there has been little progress in the matter since then, so I am not going to rehearse all the points I have made before and would refer Members to HKC's statement delivered at the July General Council meeting.
- Perhaps I would just reiterate that HKC is unable to join any consensus to designate the Chinese Taipei (CT) candidate as the next Chair of the Committee on Government Procurement (CGP), and that our position is formulated with the WTO's broader interests in mind. HKC does not support designating the CT candidate as the next CGP Chair because we do not believe it will be conducive to advancing the various work programmes of the CGP.
- As we explained last time, HKC had made two suggestions to try to resolve the impasse and provide an interim solution, but unfortunately both suggestions were rejected by other GPA Parties without much discussion – it seems that other Parties think that the only way forward is for HKC to reverse its position and defer to their preference, but I am afraid this would not be conducive to developing a solution acceptable to all.
- Hong Kong, China all along upholds WTO's long-established and important principle of making decisions by consensus, and we strongly believe that it is WTO's core value that all views should be respected.

- The Agreement on Government Procurement (GPA) is a plurilateral agreement. According to the “Guidelines for Appointment of Officers to WTO Bodies” (WT/L/510), CGP, as a body established by plurilateral trade agreement, should decide on the selection criteria of its chairmanship and other related matters itself. Hong Kong, China stands ready to work constructively with other GPA Parties to select the next CGP Chair in accordance with WTO’s long-established tradition of making decisions by consensus.
- HKC would appeal to all GPA Parties to re-engage in the discussion and explore our two suggestions, which have been adopted as interim arrangements in other WTO bodies before, and/or any other practical options that are in line with the established practices of the WTO.
- Thank you very much, Chair.

Second intervention

- Thank you, Chair.
- I thank CT for its latest proposal of inviting HKC as CGP’s Vice-Chair if it becomes the Chair, which was first conveyed to us at an ad hoc informal meeting held just before this GC meeting. We are still deliberating on the proposal with our colleagues in capital, but I note that the proposal would involve creating a new post – Vice-Chair – in the CGP, which has not been formally deliberated among committee members.
- I wish to point out that HKC does not support designating CT’s candidate as the next CGP Chair because of consideration of the broader interests of the WTO, not because HKC was interested in the CGP Chair post or any new post to be created. From HKC’s perspective, the proposal may not be able to address the issue before us.
- Thank you, Chair.

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