



**Asia-Pacific
Economic Cooperation**

2013/CTI/WKSP5/002

Project Completion Report

Submitted by: Korea



**Capacity Building Program Dealing with Free
Trade Agreement Dispute Settlement
Proceedings: New Challenges and
Opportunities for APEC Economies
Seoul, Korea
7-8 November 2013**

Project Completion Report

SECTION A: Project profile

Project number & title :	CTI 13 2013A (FTAAP Capacity Building Program in FTA Dispute Settlement Proceedings)		
Time period covered in report :	May 2013 – February 2014	Date submitted:	February, 2014
Committee / WG / Fora :	Committee on Trade and Investment (CTI)		
Project Overseer Name / Organization / Economy:	Su-Eun Kim/Multilateral Economic Affairs Bureau, Ministry of Foreign Affairs/Republic of Korea		

SECTION B: Project report and reflection

Briefly answer each of the questions below. Section B should be a maximum of 2-3 pages, inclusive of the questions and tables provided.

1. Project description: In 3-4 sentences, describe the project and its main objectives.

At the 23rd APEC Ministers Meeting (AMM) in 2011, the APEC Ministers declared in the AMM statement that Ministers welcomed the decision to approach capacity building activities with strategic foresight by undertaking multi-year projects, such as supporting APEC's work to strengthen and deepen regional economic integration, and facilitating the realization of FTAAP. According to the guidance provided by the AMM statement, the Action plan framework for REI Capacity Building Needs Initiative (CBNI) was endorsed with broad support from APEC member economies at CTI 2, 2012.

This project directly addressed and advanced the implementation of the CBNI relating to FTA dispute settlement proceedings. The main objectives of this project were: (i) to enhance understanding of FTA dispute settlement proceedings; (ii) to discuss legal questions and logistical burden arising from various dispute settlement proceedings of FTAs; (iii) to share the best practices and provide hands-on experience in solving disputes through FTA dispute settlement proceedings; and (iv) to identify challenges and explore pathways to the FTAAP in the area of dispute settlement.

2. Meeting your objectives: Describe how the project went, with reference to the objectives laid out in your project proposal. Include any major changes to your project as proposed and any problems or obstacles that you encountered and how you overcame them.

All objectives of the project have been successfully met with the active engagement of APEC member economies in presentations and discussions relating to FTA dispute settlement proceedings.

3. Project evaluation: Describe how you evaluated the project and provide some details on the results of the evaluation (e.g. participant evaluation, peer review of publication, measurement of indicators, statistics demonstrating use of outputs etc.).

Survey forms were provided to all the participants for their feedback and assessment of the workshop. Most of the respondents evaluated the quality of speakers, quality of content, quality of discussion among participants and educational information provided as satisfactory. The respondents also commented that information shared by experts and participants from APEC economies provided a profound understanding of FTA dispute settlement as well as valuable insight that can be applied to other economies.

For further information, please refer to the analysis of results of the feedback survey attached as an annex.

4. **Key findings:** Describe one or two examples of important findings arising from the project (e.g. results from surveys or case studies, insights provided by participants or experts, policy recommendations, roadblocks to progress on an issue etc.).

The two-day workshop “Dealing with FTA Dispute Settlement Proceedings, New Challenges and Opportunities for APEC Economies” was attended by 25 delegates representing at least 12 economies, 17 speakers highly acclaimed at home and abroad and approximately 50 domestic experts.

In particular, the workshop brought an expert in WTO rules from the WTO Secretariat, prominent scholars with expertise in WTO/FTA dispute settlement, and speakers with negotiating experience from APEC economies to help participants build knowledge and skills on dispute settlement issues. Lively discussions were held throughout the workshop and participants were interested in information on more resources and further training.

Since the workshop’s main objective was to enhance the capacity of negotiators and policymakers on FTA dispute settlement, participants had the chance to absorb knowledge and updated information with practical relevance on dispute settlement negotiations. Furthermore, they had valuable opportunities to share and learn best practices and experiences in preparing for dispute settlement negotiations. The workshop also encouraged economies to review their own domestic laws and practices on trade remedies and to prepare for participation in RTAs/FTAs for the eventual realization of an FTAAP.

5. **Next steps:** Describe any follow-up steps or projects that you recommend. Have you already planned or begun these? What role could APEC play in any follow-up?

After SOM 1, Korea will receive comments from APEC economies on areas of additional capacity building activities in 2014 and thereafter.

6. **Feedback for the Secretariat:** Do you have any suggestions for more effective management of projects in the future? Any assessment of consultants, experts or participants that you would like to share? *(The Secretariat collates and examines feedback to identify trends for ongoing evaluation of our project management and/or communications systems.)*

Overall, the project was implemented with great efficiency. The Ministry of Foreign Affairs of the Republic of Korea played a key role in planning and implementing the workshop and the professional staff of the APEC Secretariat were engaged and coordinated well with the project overseer. The results of the project were as planned.

7. **Participant information:** Please provide details, where applicable. Insert rows as needed.

Economy	# male	# female	Details
China	0	1	Ms. Wang Qiang
China	1	0	Mr. Wang Chunyang
Chile	0	1	Ms. Teresa Corrales
Chile	1	0	Mr. Sebastian Sufan
Hong Kong, China	0	1	Ms. Wong Ka Man
Hong Kong, China	0	1	Ms. Wong Shau Yin
Indonesia	0	1	Ms. Iffah Sa’aidah
Indonesia	1	0	Mr. Angga Handian Putra
Indonesia	1	0	Mr. Andi Supiandi
Indonesia	1	0	Mr. Saud Ringo
Indonesia	0	1	Ms. Shantiana

Malaysia	0	1	Ms. Lin Azura Yahya
Malaysia	1	0	Mr. Lim Wei Um
PNG	1	0	Mr. Michael Wakan Areke
Peru	1	0	Mr. Guillermo Alejandro Pardave
Philippines	0	1	Ms. Katherine G Sinson
Philippines	0	1	Ms. Mary Grace R Quintana
Singapore	0	1	Ms. Lum Hui Fen
Singapore	1	0	Mr. Mark Ngan
Chinese Taipei	0	1	Ms. Yu Chieh Tung
Chinese Taipei	1	0	Mr. Chien Hung Yang
Thailand	0	1	Ms. Pathama Polmai
Thailand	0	1	Ms. Kamotip Pasoontarakarn
Vietnam	0	1	Ms. Nguyen Thi Duy Ly
Vietnam	0	1	Ms. Tran Thi Mai Huong
Total	10	15	

8. **Outputs:** *Please provide details, where applicable. Change headings or insert rows as needed.*

	# planned	# actual	Details
# of workshops / events	1	1	Workshop on FTA Dispute Settlement (Seoul, Nov. 7-8, 2013)
# of publications distributed	1	1	
# of CDs distributed	N/A	N/A	
# of websites created	N/A	N/A	
Other:	N/A	N/A	

[Annex]

2013 APEC FTAAP Workshop on FTA Dispute Settlement Proceedings

November 7-8, 2013, Seoul, Republic of Korea

Analysis of Results of the Feedback Survey

Pursuant to the APEC guidelines, an evaluation sheet was included in the workshop document packages prepared by the Government of Korea in order for the participants to provide their assessment on the workshop as well as necessary feedbacks for further improvements in the future.

The organizers collected the survey questionnaires from the participants after the workshop. With respect to the response ratio, 24 evaluations were received, representing 93% of the total participants who attended the workshop. Considering that some participants from the same member economy tended to submit a consolidated response, this response rate is closer to 100%. The sheet provided five degrees of evaluation for each category: *i.e.*, “satisfactory”, “good”, “fair”, “not satisfactory”, and “bad” (with “satisfactory” the highest and “bad” the lowest grade).

With respect to the overall assessment of the workshop, 22 (92%) respondents answered “satisfactory” and 2 (8%) responded with “good.” This response ratio basically means that all participants surveyed found the workshop very satisfactory and helpful, as also reflected in the general comment section.

Regarding the objectives and topics of the workshop, also 22 (92%) participants answered “satisfactory,” and 2 (8%) responded with “good.” Considering that some of the topics covered by the workshop this year were to some degree technical and complex, this evaluation result can be said to be quite impressive. Most of the participants surveyed responded in the general comment section that they had received a significant deal of substantive knowledge regarding FTA negotiations

and dispute settlement proceedings. They also mentioned that these issues will be able to be promptly utilized in their own FTA negotiations. They also added that the speakers invited were renowned experts on these issues, so practical and meaningful answers were given to the questions posed by the participants.

With respect to the speakers invited, 16 (67%) respondents replied “satisfactory,” whereas 6 (25%) answered with “good” and 2 (8%) with “fair.” This shows that almost 92% of the participants found the speakers well-suited for the topics and issues. The participants particularly mentioned that the speakers were able to provide practical advice and usable information for the government officials as opposed to some other academic discussions in international conferences of similar purposes.

In the general comments section, most participants provided helpful comments for the organizers. Comments provided include:

- The workshop provided a comprehensive analysis of dispute settlement proceedings in the FTA regime.
- The delegations have acquired a great amount of information and knowledge from the speakers that can be used as a foundation for future negotiations.
- The participants will share the benefits of the workshop including the information and insights they acquired with colleagues of their countries.
- The difficult topics were explained and discussed in an easier way so that government officials can follow without any significant difficulty.
- The topics selected were timely and appropriate as the FTA negotiations are now taking place in almost all APEC member economies.
- The speakers and discussants were well balanced in terms of addressing various aspects of dispute settlement proceedings.

With respect to the suggestions to improve the workshop in the future,

participants suggested that the workshop be extended for one more day so that more time is allocated for in-depth discussions among the participants. One delegation also recommended that participants take the role of discussants in some of the sessions instead of inviting other outside discussants, so that their own experience can be better presented and juxtaposed. One delegation also commented that it may be more beneficial if speakers included trade negotiators, who can provide a negotiator's view. Another comment provided was that sometimes bringing experts with the same background could be helpful in the context of developing best practices, while the benefit of having experts with backgrounds covering a wide range of spectrum should also be kept in mind.

In conclusion, the feedback and comments from the participants were very positive and constructive. The organizers are confident that the FTAAP Workshop of 2013 successfully achieved the intended objectives. In particular, the organizers take note of the fact that the participants have obtained a significant amount of knowledge in this complex area and promised to report back to their countries so that their experiences can be permeated in the governmental agencies of the members, which is the very objective of the FTAAP Workshops. The organizers will also take into account the comments and recommendations from the participants so as to further improve the workshops in the future.

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