



**Asia-Pacific  
Economic Cooperation**

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**2014/SOM3/CTI/006rev1**

Agenda Item: 6.2

## **Operationalising the APEC Information Sharing Mechanism on RTAs/FTAs**

Purpose: Consideration

Submitted by: Australia; Chile; Hong Kong, China; New Zealand;  
Singapore; China



**Third Committee on Trade and Investment  
Meeting  
Beijing, China  
16-17 August 2014**

## **Operationalising the APEC Information Sharing Mechanism on RTAs/FTAs**

**Paper by Australia; Chile; Hong Kong, China; New Zealand; Singapore; and China, 16 August 2014**

This paper identifies key task and activities, timelines and lead economies for implementing the APEC Information Sharing Mechanism for FTAs/RTAs which was endorsed at SOM2 (2014/SOM2/049 annex 3 refers) and welcomed by Ministers Responsible for Trade in their Qingdao statement of 17-18 May 2014.

### **Background**

The endorsed Information Sharing Mechanism foreshadows specific activities under four theme headings:

1. Enhancing Access to Information on RTAs/FTAs;
2. Sharing and Assessing Information on WTO-plus Elements of RTAs/FTAs;
3. Holding Annual Dialogues and Reports on RTAs/FTAs; and
4. Reinforcing and Intensifying Use of the WTO RTA Transparency Mechanism.

The following tasks, timelines and lead economies are proposed. Subject to discussion and consensus in the CTI, lead economies may submit concept notes for APEC funding of some of the tasks and activities in 2015 and beyond.

#### **1. Enhancing Access to Information on RTAs/ FTAs.**

##### **a. Publishing texts of concluded RTAs/FTAs**

It was agreed to enhance access to the latest information on RTAs/FTAs, APEC economies will publish the text and schedules of concluded and formalised RTAs/FTAs in a timely manner on their respective trade ministry websites in the official APEC language (English), as far as practicable. Where publication of the text and schedules of the RTA/FTA in the English language is not practicable (because the treaty has been negotiated and formalised in another language), a summary of the FTA/RTA should be published in the English language.

Task to be actioned by: All APEC Economies

##### **b. Update existing 2009 APEC comparative tool database on FTA/RTAs**

It was agreed that member economies would provide e-links to relevant intra-APEC FTA or RTAs not included already in the 2009 <http://fta.apec.org> website by 19 September. This useful web tool provides easy comparison between agreements, chapters and specific provisions of the various FTAs, but requires updating.

Task to be actioned by: All APEC Economies  
Lead: New Zealand and the APEC Secretariat

##### **c. Compile e-links to economies' existing FTAs**

It was agreed that in order to provide easy access to updates to concluded FTAs/RTAs and progress reports in relation to ongoing negotiations, member economies would provide links to each individual member economies ministries or departments of foreign affairs, commerce or trade websites by 19 September.

Hyperlinks to relevant areas of the WTO, PECC and APEC Study Centre websites containing information and analysis on FTAs/RTAs will also be added.

Task to be actioned by: All APEC Economies

Lead: New Zealand and the APEC Secretariat

## **2. Sharing and Assessing Information on WTO-Plus Elements of RTAs/ FTAs**

### **a. Presentations by economies on the WTO-plus elements of FTAs/RTAs recently concluded with other APEC economies.**

Provision will be made at the CTI2 meeting each year for a two to three hour session (either during or immediately before the meeting) for brief joint presentations by representatives of the APEC economies that are parties to recently concluded FTA/RTAs, or those of particular significance. Ideally, the presentation would be delivered by officers that had senior roles in the actual negotiation of the agreement.

The presentation should focus on the WTO-plus elements of the FTA/RTA. Areas of difficulty between the parties as reflected in the FTA/RTA outcomes (e.g. exemptions from tariff reduction or elimination commitments; disciplines on non-tariff measures; limited WTO-plus outcomes on services etc) could also be highlighted, as well as mechanisms to address such difficulties over time (e.g. built-in work programs). Member economies would have an opportunity to comment and ask questions of the presenters. A written summary of the discussions/findings would be prepared.

Task to be actioned by: CTI Chair to include item in agenda/CTI programme in consultation with host economy; member economies to participate where appropriate. APEC Secretariat to prepare written summary, in consultation with CTI Chair.

Target date: annually, CTI2

### **b. Action by relevant CTI sub-fora to identify and discuss WTO-plus elements in relation to FTA chapters in regional FTAs**

CTI-sub fora (MAG, GOS, IEG, IPEG, ECSG, SCCP, SCSC, BMG) will be requested from the beginning of 2015 to add an item to their respective agendas at each of their meetings to focus on specific chapters of recently concluded or relevant RTAs/FTAs (e.g. IEG on Investment chapters). The objective would be to identify and consider the WTO-plus elements of recently concluded or relevant RTAs/FTAs. Discussion could be facilitated by economies that were parties to the FTAs in question. Sub-fora should consider how these elements might contribute to possible approaches for an FTAAP. Written summaries of these discussions would be prepared and included in the convenors' reports to CTI.

Task to be actioned by: All CTI-sub fora.

Lead: CTI Chair to formally task sub-fora on behalf of CTI.

**c. APEC database/web portal to capture the findings and results of these discussions.**

In order to provide a centralised location for the written summaries prepared on the discussion/dialogues/presentations referred to in 2(a) and 2(b) above and 3(a) below, a web portal will be established. If the information is considered sensitive by relevant member economies, they could restrict the access to the summary in question to officials-only.

Task to be actioned by: APEC Secretariat, with material up-loaded to the existing website: [http://www.apec.org/Home/Groups/Other-Groups/FTA\\_RTAs](http://www.apec.org/Home/Groups/Other-Groups/FTA_RTAs)

**3. Holding Annual Dialogues and Reports on RTAs/ FTAs**

**a. Annual SOM dialogue highlighting trends and patterns in regional FTAs/RTAs, key WTO-plus elements and treatment of newer issues**

To encourage high-level discussion of innovations, developments and trends in the content of regional FTAs/RTAs, an annual dialogue will be held in the margins of SOM2. The dialogue would involve APEC Senior Officials, negotiators, academics and business practitioners. A summary of the dialogue outcomes would be prepared.

Task to be actioned by: Host economy to supply a venue for a dialogue in the margins of SOM2 and, in consultation with CTI Chair and member economies, prepare a draft agenda and supply presenters. APEC Secretariat, in consultation with CTI chair, to prepare a summary of outcomes for tabling at SOM2.

**b. Ministers Responsible for Trade meetings include an annual discussion point on FTAs/RTAs**

An agenda item will be added to the MRT meeting each year to facilitate a strategic discussion among Ministers on broad trade policy outcomes of FTAs/RTAs, including trends and developments, the relationship with the multilateral trading system and relationship between overlapping FTAs/RTAs and the prospect of a Free Trade Area of the Asia-Pacific.

Task to be actioned by: Host economy to include item in agenda; member economies to participate.

**c. APEC Policy Support Unit (PSU) research and annual report on state of FTAs/RTAs in the region**

The PSU will produce an annual publication, providing an overview of the features of FTAs/RTAs concluded by APEC economies in the preceding year. The report would draw on the presentations/discussions at the MRT, SOM, CTI, and CTI sub-fora platforms as well as external public domain material, and include analysis on patterns/trends of WTO-plus commitments in concluded FTAs/RTAs and consider where these are different from and could add value to APEC's 2009 FTA/RTA model measures. The PSU report shall be presented and released at the Annual SOM Dialogue (referred to 3(a) above) and posted on the APEC web portal envisaged in paragraph 1(c) above. Draft terms of reference for the PSU report are attached.

Lead: PSU with oversight by CTI.

**4. Reinforcing and Intensifying Use of WTO RTA Transparency Mechanism**

**a. Agreement by APEC economies to intensify their engagement in the WTO RTAs Transparency Mechanism**

As part of the intensification of effort on information sharing within APEC on FTAs/RTAs, APEC members will enhance their engagement in the WTO RTAs Transparency Mechanism. This effort will improve transparency on the detail of concluded RTAs/FTAs. Member economies engaging in the WTO RTA/FTA Transparency Mechanism should report on their engagement in relevant APEC activities on RTAs/FTAs.

Task to be actioned by: Member economies.