



**Asia-Pacific
Economic Cooperation**

2015/SOM3/DIA2/003


Summary of Trade Policy Dialogue on WTO-Plus Aspects of RTAs/FTAs Held on 14 May 2015

Submitted by: CTI Chair



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**Dialogue on Regional Trade Agreements and Free
Trade Agreements
Cebu, Philippines
2 September 2015**




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Summary of CTI Trade Policy Dialogue on WTO-plus aspects of RTAs/FTAs held on 14 May 2015

John Larkin, CTI Chair
SOM Dialogue on FTAs/RTAs, 2 Sept 2015
Cebu City, The Philippines

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Outline of presentation

- Background to the CTI TPD on WTO-plus aspects of RTAs/FTAs, 14 May, Boracay
- Summary of presentations
- Key messages for SOM Dialogue on RTAs/FTAs

Background to CTI Dialogue



- Beijing Roadmap for APEC's contribution to issues related to the realization of the FTAAP
 - RTAs/FTAs Information Sharing Mechanism (ISM)
 - Capacity building for officials on FTA topics
 - Collective Strategic Study
- ISM provides for annual CTI TPD to discuss WTO-plus outcomes in recently concluded FTAs/RTAs
 - held on 14 May, Boracay
 - reported in 2015/SOM2/CTI/039rev1

Objectives of CTI TPD



- Raise awareness of WTO-plus outcomes and approaches of recently concluded FTAs/RTAs
- Encourage consideration by economies of including such approaches into their FTA/RTA negotiating objectives
- Encourage trade and investment liberalisation and facilitation in FTAs/RTAs through information exchange
- High quality, comprehensive FTAs are building blocks for realization of the FTAAP
 - and support the multilateral trading system.

Summary of presentations at TPD



- Overview presentations on three FTAs
 - Korea-Australia FTA (2014)
 - Chile-Hong Kong, China FTA (2014)
 - Peru-Japan EPA (2012)
- Specific chapters of FTAs
 - Services (Chile-Peru)
 - Electrical and electronic equipment and their components (New Zealand-China)
 - Investment (Korea-United States)
 - Competition Policy (Hong Kong, China-New Zealand)
 - E-Commerce (Chinese Taipei-Singapore)

Some WTO-plus features identified in overview presentations



- Goods
 - 98 per cent of Chilean lines duty free after three years (Chile-HK,C)
 - most traded goods duty free within ten years (KAFTA)
- Government Procurement in KAFTA, C-HK,C FTA and PJEPA
 - Australia and Peru not members of WTO Government Procurement Agreement
- Competition Policy in all Agreements
- Environment and Labour (chapters or MOUs)

Some WTO-plus features identified in overview presentations (cont'd)



- Intellectual Property
 - Geographical indications (Chile-Hong Kong, China Agreement: Pisco, Pica Lemon and some Chilean wines)
 - KAFTA (copyright term of protection 70 years)
- Services
 - WTO-plus commitments, including financial, telecommunications and mode 4
 - Negative list schedules in KAFTA and PJEPA
- Investment
 - TRIMS-plus performance requirements in KAFTA
 - Built-in agenda for Investment (Ch-HK,C)

Some WTI-plus features identified in specific presentations



- Annex on Electrical and Electronic equipment (EEE MRA)
 - Annex to TBT chapter of NZ-China FTA
 - Provides for exporting Party conformity assessment bodies to test that products are in conformity with importing Party requirements
 - Regulators in both Parties cooperate in enforcement
- Investor-State Dispute Settlement (Korea-US FTA)
 - Right to international arbitration if loss incurred as a result of the FTA partner's breach of chapter
 - Investor waives rights to initiate/continue proceedings before courts of other Party

Some WTO-plus features identified in specific presentations



- Competition (HK, China-New Zealand FTA)
 - commitments to promote competition, but no requirement to set up competition law or agency
 - endorsement of “APEC principles to enhance Competition and Regulatory Reform”
- E-Commerce (Chinese Taipei-Singapore ASTEP)
 - commitments to not impose customs duties on electronic transmissions
 - authentication methods for electronic transactions
 - making electronic versions of trade administration documents publicly available

Conclusion



- TPD highlighted:
 - **comprehensive** nature of the FTAs discussed at the TPD
 - : CP, GP, IP, e-commerce, labour, environment
 - Substantial **WTO-plus outcomes** on a range of topics
 - : e.g. negative list schedules for services and investment, ISDS
 - **Innovative approaches** driven by specific trade and investment interests
 - : GIs, EEE MRA annex