

Asia-Pacific Economic Cooperation

1996 CTI Annual Report to Ministers

APEC Committee on Trade and Investment (CTI)

1996

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

ISSUE: Rules of Origin

APEC COMMITTEE ON TRADE AND INVESTMENT

1996 ANNUAL REPORT TO MINISTERS

Introduction

In accordance with the 1993 Seattle Declaration on an Asia Pacific Economic Cooperation Trade and Investment Framework, the APEC Committee on Trade and Investment (CTI) herewith submits its 1996 Annual Report to Ministers.

The CTI met five times during 1996: in Manila 10-11 February, in Singapore 18-19 April, in Cebu 20-21 May, in Davao 19-20 August, and again in Manila 16-17 October. The meetings were chaired by Mr Christopher Butler of the New Zealand Ministry of Foreign Affairs and Trade.

Meetings of CTI sub-groups were held as follows:

- Tariff Database Task Force - Manila 9 February, Cebu 19 May, and Manila 13 October
- Investment Experts' Group - Singapore 16-17 April and Tokyo 19-20 September
- Sub-committee on Customs Procedures - Manila 13-15 February, Cebu 17-19 May and Manila 12-14 October
- Sub-committee on Standards and Conformance - Manila 13-14 February, Cebu 18-19 May, Davao 17-18 August and Manila 13-14 October
- Government Procurement Experts' Group - Manila 13 February, and Cebu 19 May
- Dispute Mediation Experts' Group - Singapore 22-23 April
- Intellectual Property Rights Get-Together - Singapore 17 April, Cebu 18 May, and Tokyo 26-27 August
- Uruguay Round (UR) Implementation Seminars - UR Agreement on Agriculture, Mexico City 4-6 March; and Technical Barriers to Trade (TBT) and Sanitary and Phytosanitary Measures (SPS), Manila 14-15 May. A seminar on the WTO Anti-Dumping Agreement will be held in Hainan (China) 16-18 December 1996
- Competition Policy/Deregulation Workshop - Davao 17-18 August

In addition to the execution of its 1996 work programme (see below), a key priority for the CTI during the year was the development of Collective Action Plans (CAPs). A comprehensive account of the CTI's work in preparing and executing CAPs is provided in an Annex to this report (Annex One). Convenor's reports and summary CAP matrices for each of the 15 issue areas of the Osaka Action Agenda (OAA) are contained in Part 2 of this report. In addition, in response to requests from the SOM, CTI provided input into the SOM Chair's report to

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APEC Ministers in Charge of Trade at their July meeting in Christchurch (New Zealand), technical advice to APEC members on the format of Individual Action Plans (IAPs), and a preparatory report to the SOM on the proposed Information Technology Agreement (ITA).

The CTI Chair addressed the Singapore Foreign Correspondents' Association on 23 April, an APEC Seminar at the University of Brunei on 13 August, and the ILAC World Trade and Accreditation Symposium in Amsterdam on 12 September.

1996 Work Programme

Tariffs/Non-Tariff Measures

Ministers and Leaders included Tariffs and Non-Tariff Measures in the OAA at their 1995 meeting in Osaka. The CTI Chair acted as Convenor for both issue areas. Action focused on preparation of the CAP.

Tariff Database

In Bangkok in 1992 APEC Ministers agreed on the need to create an electronic tariff database for APEC members to facilitate regional trade through better information flows. After preliminary work in 1993 and 1994, a Task Force was established in 1994 to manage the establishment of the Tariff Database. The current Chair of the Tariff Database Task Force is Mr Brian Gallagher, National Manager, Australian Customs Service.

During 1996 the Tariff Database Task Force investigated the commercial viability of the Tariff Database CD-ROM pilot project, conducted in 1995. It concluded that the best option for the further development of an APEC system was to load it onto an Internet World Wide Web (WWW) site as a "read only" database, but one which would include a facility for downloading subject to security controls to protect copyright and data integrity. Private companies have expressed interest in developing and managing the computerised database, and are formulating proposals for CTI's further consideration. The exact mechanism and costs for private management of the database on APEC's behalf have still to be defined, but prototypes prepared by private companies will be ready for demonstration at the Manila Ministerial meeting.

Investment

At their meeting in Seattle in 1993 APEC Leaders, recognising the importance of investment to economic growth in the Asia-Pacific region, instructed CTI to prepare a set of Non-Binding Investment Principles. CTI established an Investment Experts' Group (IEG) to address this

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task and subsequently to work on investment issues. The current Chair of the IEG is Mr Neil Hyden, First Assistant Secretary, International Economic Division, The Treasury of Australia.

During 1996 the IEG progressed implementation of investment aspects of the OAA. The third edition of the Guide to the Investment Regimes of the APEC Member Economies was published in July, and has been made available free of charge on the Internet. A second APEC Investment Symposium was held in Tokyo 17-18 September, in order to sustain a dialogue with the APEC business community on the investment environment and ways to improve it. Suggestions related to improving the investment environment were received at the symposium and will be considered at the next meeting of the IEG.

Customs Procedures

CTI's Sub-Committee on Customs Procedures (SCCP) was established in 1995 in response to the priority which APEC Ministers accorded to harmonising and simplifying Customs procedures in order to facilitate trade among APEC economies. The Chair of SCCP for 1996 was Mr Titus B. Villanueva, Deputy Commissioner of Customs, Republic of the Philippines.

During 1996 SCCP advanced work towards the OAA objective of simplified and harmonised Customs procedures. Members agreed to harmonise tariff nomenclature up to at least the 6-digit level by adopting the 1996 version of the WCO harmonised system by the end of 1996. A comprehensive Framework for Technical Assistance and Human Resource Development was developed, as a means to assist members in implementing the Customs CAP. Multi-year technical assistance programmes, covering such areas as the WTO Valuation Agreement, implementation of the TRIPs Agreement, UN/EDIFACT, Kyoto Convention and Advance Classification Rulings have been developed, and where appropriate submitted for consideration as projects to be funded from the APEC TILF Special Account. Four projects have been approved to date.

The following seminars were held during 1996: Information Technology in Singapore 29 July-1 August, Rules of Origin in Puerto Azul (the Philippines) 11-13 August, and Risk Management in Hangzhou (China) 3-5 September. The Fourth APEC Customs-Industry International Assembly was held in Manila 15-16 October in order to promote dialogue and cooperation between Customs officials and the business sector.

Standards and Conformance

The Sub-committee on Standards and Conformance (SCSC) was established in 1994 in response to APEC Ministers' recognition that standards and conformance was a priority area for the realisation of APEC's goals. The 1996 Chair of SCSC was Mr Jesus Motoomull,

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Director, Bureau of Product Standards, Department of Trade and Industry, Republic of the Philippines.

During 1996 SCSC advanced work in areas prescribed in the OAA. Particular progress was made in:

- a) *Alignment with International Standards.* Reports were completed on Case Studies on Alignment with International Standards, a Guide for Alignment of APEC Member Economies' Standards with International Standards, and on identifying priority areas for member economies to align domestic with international standards. A seminar on Electromagnetic Compatibility was held in Singapore 1-2 August.
- b) *Mutual Recognition of Conformity Assessment.* Agreement was reached to proceed with Mutual Recognition Arrangements (MRAs) on Food Products and on an Arrangement for the Exchange of Information on Toy Safety. It was agreed also that additional products should be included as priority areas for MRAs in sectors already covered by members' respective regulations. A seminar on Good Manufacturing Practices of Bulk Active Pharmaceutical Ingredients was held in Vancouver 22-23 January.
- c) *Cooperation on Technical Infrastructure Development.* A mid-term Technical Infrastructure Development Programme to the year 2000 was commenced. A survey to be carried out as part of this programme has been approved as an APEC Trade and Investment Liberalisation and Facilitation (TILF) Special Account project. An APEC Conference on Standards and Conformance was held in Manila 9-11 October. A Partners for Progress Project on Standards and Conformity Assessment Schemes was developed.
- d) *Transparency.* A survey to assess the availability of, and access to, standards and conformance information in APEC member economies was carried out. The results will be used to develop a database and network system on standards and conformance, accredited testing/calibration laboratories, Mutual Recognition Arrangements, and the alignment of APEC economies' standards with international standards.

Competition Policy/Deregulation

The decision to include Competition Policy in the OAA reflects that with the globalisation of business, competition policy issues are of increasing relevance to APEC's work. Deregulation is an important aspect of the OAA because of the need to promote the transparency of regulatory regimes and to eliminate trade and investment distortions caused by them. In 1996,

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recognising the important linkages between the deregulation and competition policy work programmes, the SOM agreed to treat the two subjects together. CTI's work on competition policy/deregulation is being coordinated by New Zealand. There is no CTI sub-group for this issue area.

A Workshop on Competition Policy/Deregulation, chaired by Mr Mark Steel, Manager, Business Policy Division, New Zealand Ministry of Commerce, was held in Davao (the Philippines) 17-18 August. The Workshop covered a variety of issues, including the objectives and mechanisms of competition policy, the objectives of competition law and the role of laws and enforcement agencies in achieving them, the concept of deregulation and its interrelationship with competition policy, and options for technical assistance. A further Workshop will be held during 1997.

CTI endorsed a revised Japanese proposal for an APEC Partners for Progress Project on Technical Assistance Seminars on Competition Policy. A proposal from Chinese Taipei for the establishment of an APEC competition law and policy database is currently under consideration. The 1996 report on actions taken by members to deregulate their domestic regulatory regimes, required by the OAA Collective Action Plan on Deregulation, will be drawn up by abstracting the relevant sections of APEC members' IAPs.

Government Procurement

In April 1995 CTI established a Government Procurement Experts' Group (GPEG) to consider ways in which to increase the transparency of, and liberalise, government procurement markets in accordance with the goals of the Bogor Declaration. The current Chair of the GPEG is Ms Jennifer Mak, Assistant Director-General of Trade, Trade Department, Hong Kong.

During 1996 the GPEG advanced work on implementing the OAA, with the initial focus on exchanging information on GP systems and building a solid foundation for future work. Members completed two surveys, one on existing GP systems and another on dissemination of GP information. Publication arrangements for the survey findings are being considered. Members compiled a list of GP contact points to facilitate information exchanges, and an APEC GP Home Page has been set up as part of the APEC Secretariat's Home Page on the Internet. In addition, nine members have created their own GP Home Pages and have linked these to the APEC Secretariat Home Page in order to provide public access to GP regulations and procurement opportunities.

A seminar on existing GP Agreements was held in Manila 15 October. A seminar on Remedy Systems and Bid Challenge Procedures will be held in Taipei in early 1997, and a proposal has

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been approved for APEC TILF Special Account support for a training course on GP to be held in China in mid-1997.

Dispute Mediation

At their meeting in Bogor in 1994 APEC Economic Leaders agreed, in order to assist in resolving trade and economic disputes among APEC economies and to avoid their recurrence, to examine the possibility of a voluntary consultative dispute mediation service to supplement the WTO dispute settlement mechanism, which should continue to be the primary channel for resolving disputes. A Dispute Mediation Experts' Group (DMEG) was established in 1995, and is chaired by Mr Jonathan Fried, Director General, Trade Policy Bureau, Department of Foreign Affairs and International Trade, Canada.

The DMEG Chair has prepared a report to Ministers on progress in Collective Actions, as required by the OAA Part One, Section C12. This is attached as an Annex to this report. (Annex Two).

DMEG met in Singapore 22-23 April and will meet again in 1997 to consider issues related to dispute mediation in an APEC setting. Information provided by members on arbitration, mediation and conciliation services available within the APEC region is being collated and will be published in a Guidebook for dissemination to the private sector. The reports of DMEG's meetings in Vancouver in 1995 and Singapore in 1996 have been made publicly available.

Proposals are being developed for two seminars on dispute mediation in the APEC region. The first will deal with the WTO Dispute Settlement Understanding and the other with private-government and private-private dispute resolution.

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Mobility of Business People

APEC Leaders recognised the importance of enhancing the mobility of business people engaged in the conduct of trade and investment in the Asia-Pacific region by including this as a specific item in the OAA at their 1995 meeting in Osaka. Australia is coordinating CTI's work in this area. There is no CTI sub-group for this issue area.

During 1996 efforts to facilitate the mobility of businesspersons in the Asia Pacific region have commenced with an exchange of information on regulatory regimes affecting cross-border business travel. Members have completed a survey on visa and other requirements for short-term business travel and the results will be published as a handbook for distribution to businesspersons as part of an ongoing dialogue with the business community.

Options for streamlining and accelerating arrangements for short-term business travel have been considered also, among them Australia's proposal for an APEC Business Travel Card.

Intellectual Property Rights

CTI established an Intellectual Property Rights Get-Together (IPR-GT) in early 1996 in order to address the work required on IPR issues by the OAA. The IPR-GT is chaired by Mr Shigeo Takakura, Director for International Cooperation, Japanese Patent Office, Ministry of International Trade and Industry of Japan.

During 1996 the IPR-GT developed and began to implement a work programme in respect of IPR aspects of the OAA. An IPR Contact Points List has been prepared and will be disseminated on the Internet in January 1997, and a survey of domestic IPR legislation will be completed shortly. The group's work programme focused on ways to enhance protection of well-known trademarks and to strengthen enforcement of intellectual property rights throughout the region. Work also commenced to simplify and standardise the administration of intellectual property rights and to implement promptly the standards of protection set out in the WTO TRIPS Agreement. Members have agreed to meet regularly on the issue of IPR protection, both in the context of existing regional arrangements, and in APEC-sponsored events such as the Industrial Property Rights Symposium, held in Tokyo in August, where members' senior industrial property authorities met for the first time. CTI endorsed a Partners for Progress project on Industrial Property Rights.

Implementation of the Uruguay Round

In 1993, APEC Leaders pledged themselves to an early and successful conclusion of the GATT Uruguay Round and in 1994 APEC Ministers, recognising the importance of the full

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implementation of the UR commitments, agreed to organise a series of UR implementation seminars. These seminars facilitate APEC members' implementation of the UR Agreements by enhancing their understanding of the Agreements and by providing an opportunity for discussion of implementation problems and solutions. The OAA commits APEC members to full and faithful implementation of UR outcomes; voluntary participation in UR implementation by APEC members who are not members of the WTO; and accelerating, deepening, and broadening of UR outcomes on a voluntary basis. The United States is convening CTI's work in this area. There is no CTI sub-group.

During 1996 UR Implementation Seminars were held on the UR Agreement on Agriculture in Mexico City 4-6 March, and on TBT/SPS in Manila 14-15 May. A seminar on the implementation of the WTO Anti-Dumping Agreement will be held in China 16-18 December. These seminars complemented a series of four seminars held during 1995 on different aspects of the UR Agreements (GATS, Rules, TRIPS and ROO).

Rules of Origin

The OAA commits APEC members to ensuring full compliance with internationally harmonised Rules of Origin (ROO) to be adopted as a result of the WTO/WCO process, and to ensuring that their respective ROO are prepared and applied in an impartial, transparent and neutral manner. CTI's work in this area is being convened by the United States. There is no CTI sub-group.

The collective work programme on ROO has enabled members to assess their compliance with procedural obligations of the WTO Agreement on ROO, including notifications. A seminar on technical aspects of ROO was held in Puerto Azul (the Philippines) 12-13 August, and a Compendium on Preferential and Non-Preferential ROO has been compiled by SCCP, for distribution to the private sector in 1997.

Services

The OAA commits APEC economies to progressively reducing restrictions on market access for trade in Services and to progressively providing for *inter-alia* most favoured nation (MFN) treatment and national treatment for trade in Services. Canada is convening CTI's work in the Services area. There is no CTI sub-group.

During 1996 collective actions in the four Services sectors (Tourism, Transport, Energy and Telecommunications) specifically addressed in the OAA were advanced by APEC Working Groups. The CTI has commenced work to continue to seek collective actions in Services sectors other than these four, and to consider policy issues related to trade in Services. A

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discussion paper has been prepared as a first step, and on the basis of this CTI is considering ways in which to increase the transparency of APEC members' Services regimes and develop a work programme aimed at liberalising and facilitating Services trade. The treatment of Services in IAPs will be summarised, as will relevant ongoing work in the GATS and other fora. A work programme will be developed further in 1997.

Information Gathering and Analysis

CTI liaised closely with the Economic Committee (EC), the Trade and Investment Data Review Working Group (TID WG) and PECC over CTI's requirements for the collection and analysis of information. There has been consideration also of the extent to which needs can be met from within APEC and the extent to which outside sources could be utilised, and over the possible allocation of work. TID WG's plans to improve the quality of data available in the APEC region and to convert its database from a repository to one which can be used as an analytical tool have been welcomed.

Trade Policy Dialogue

CTI sought to enhance its Trade Policy Dialogue as an opportunity for members to consider issues not just from a member economy perspective but also from a wider APEC regional view and to explore ways in which APEC might add value to them. It agreed that the Dialogue should be practically orientated, have a clear focus and be carefully prepared. Pressure of other business confined the CTI's 1996 Trade Policy Dialogue sessions to two only, the first dealing with issues relevant to the APEC and WTO Trade Ministers' meetings, and the second with Subregional Trade Arrangements and the proposed Information Technology Agreement (ITA).

Trade and Investment Liberalisation and Facilitation Issues in Other APEC Fora

CTI reviewed reports from APEC Working Groups on Trade and Investment Liberalisation and Facilitation (TILF) aspects of their activities. Some instances of overlap in the activities of Working Groups and CTI sub-groups have been identified. In order to avoid such duplication and to ensure efficient use of APEC resources, CTI is seeking a close and cooperative working relationship with other APEC fora in respect of TILF activities. Agendas and summary reports of CTI meetings are now being sent to Working Group Lead Shepherds to better inform them of CTI's work. CTI members have been encouraged to make direct contact with Lead Shepherds and other Working Group contacts in their economies to enhance information exchange. CTI seeks a reciprocal reporting process to enhance coordination of TILF-related activities, and to enable an exchange of expertise between the CTI and APEC Working

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Groups. Consistent with the 1993 Seattle Declaration, the SOM endorsed CTI's willingness to provide views and advice on relevant TILF matters arising in Working Groups, for subsequent decision by the SOM where necessary.

Support from APEC Secretariat

The CTI records its appreciation of the support which the APEC Secretariat provided throughout 1996 to the CTI Chair and to the Committee as a whole.

Cooperation with PECC

PECC was represented at all of the CTI's meetings during 1996. PECC also attended most of the meetings of CTI sub-groups. The two reports, "Survey of Impediments to Trade and Investment in the APEC Region" and "Milestones in APEC Liberalisation: A Map of Market Opening Measures by APEC Economies", prepared in 1995 for CTI by PECC, provided a valuable source of reference for CTI's deliberations during 1996. CTI maintains a close and effective working relationship with PECC, and records its appreciation for the support and advice which PECC has lent to its activities.

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Change of Vice-Chair

In August Ms Yvonne Choi Ying-pik, Hong Kong Deputy Director-General of Trade, replaced Mr Tam Wing-pong as a CTI Vice-chair. CTI records its appreciation for the guidance and support Mr Tam rendered its work during his period of office.

1997 CTI Work Programme: Recommendations

The 1997 CTI Work Programme will be based on the work programmes set out in Volume II of this report, and described in the annexed report on CAPs. The work programmes they contain will be the subject of ongoing review, particularly in the light of APEC Leaders' and Ministerial meetings, the requirements of the Manila Action Plan for APEC (MAPA), and developments in other international fora such as the WTO.

It is recommended that Ministers:

- a) adopt the CTI's report on its 1996 Work Programme, including the annexed reports (CAP Action Report and Dispute Mediation) and the CAPs contained in Part 2;
- b) agree that continuation of this work, in the progressive manner envisaged by the Osaka Action Agenda, provides a sound basis for the CTI's 1997 Work Programme; and
- c) direct the CTI, in executing its 1997 Work Programme, to also address the further development of Action Plans and the expansion and improvement of Collective Actions required by the Osaka Action Agenda.

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APEC Committee on Trade and Investment
November 1996

ANNEX ONE

APEC COLLECTIVE ACTIONS ACTION REPORT FOR 1996

OVERVIEW

The APEC Committee on Trade and Investment (CTI) coordinated the preparation of action plans which address the Collective Actions contained in 14 of the 15 issue areas of Part 1 (C) of the Osaka Action Agenda (OAA). It contributed too to the remaining area, which was coordinated by the Economic Committee. These Collective Action Plans (CAPs) are intended both to progress activity in each area, as well as to provide a means of monitoring and reporting the achievement of

objectives. The OAA embraces a broad and diverse range of issues, some of which (e.g., competition policy, deregulation, intellectual property) are among the "new wave" of trade liberalisation issues. Others (e.g., Customs procedures, standards and conformance, government procurement) are issues of long standing in which the CTI has already the considerable experience of dedicated sub-groups. Rather than impose a rigid and common reporting format, therefore, Convenors were appointed to progress the preparation of CAPs for each of the issue areas and, within certain guidelines, were given flexibility to develop reporting matrices which reflect the nature and stage of development of each issue. The CTI met five times in the course of 1996, always in association with meetings of its sub-groups, addressing not only CAP reporting matrices but also progressing the considerable body of work for which the OAA calls. There has been a constructive interplay between issues of form and substance as a result, and debates on the design of CAP reporting matrices have entailed thorough discussion of underlying issues. Given that the CAP reporting process will be now rolled-over annually to create "living" documents, the sharing of information and perspectives that it requires should prove to be of ongoing value. The documents being presented to Ministers in Part 2 comprise in each case the relevant summary matrix and an associated report from the APEC member which has been acting as Convenor.

The CAP reports have in common the use of a matrix format which identifies the participation of individual APEC members in particular Collective Actions. They also provide an indication of time-frame. The CAP reports on different issue areas nevertheless vary in important respects. Some (e.g., Customs, standards and conformance, investment) are highly detailed, reflecting work undertaken already by CTI sub-groups in developing comprehensive action programmes in their respective areas. Others (e.g., tariffs, non-tariff measures, rules of origin) are newly introduced as specific items on the CTI agenda and, in this initial year, adhere quite closely to the text of the OAA. Several (e.g., intellectual property, business mobility, dispute mediation) adopt a narrative

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approach to describe the actions of APEC member economies, while a few (e.g., UR implementation, government procurement, rules of origin) summarise implementation steps submitted by member economies.

These variations are to be expected in the initial year of a new process requiring detailed consultation between 18 member economies over 15 diverse issue areas. A review will be conducted in early 1997, however, to see if experience might not suggest ways in which greater standardisation could be introduced in the future. CTI members will be asked also to consider how best to achieve a more comprehensive coverage of the issue areas for which the Committee is responsible.

Although APEC members have adopted a careful and measured approach to the initial year of the CAP process, the content of CAP formats reveals an encouraging level of APEC "tangible outputs" in the short term. They are listed below, together with a notation of the expected benefits which will result.

Tariffs (convened in association with Non-Tariff Measures)

(a) Output

- In 1997, an APEC database of Customs information and the applied tariffs of member economies which will be publicly accessible by electronic means (e.g., Internet, CD-ROM)
- In 1998, an expanded APEC database containing information and data on Customs, tariffs, trade flows and non-tariff measures
- In 1999, a submission to APEC Ministers, based on consensus among members, listing priority sectors in which the progressive reduction of tariffs and non-tariff measures may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalisation

(b) Expected Benefits

Additional transparency will improve the knowledge of APEC members about the regional trading environment, assist policy development and facilitate trade by enabling businesses to enhance their understanding and to access information at lower cost. The APEC database will be the first to contain information on applied (as opposed to bound) tariff rates. When expanded to include information on trade flows and non-tariff measures, the database will have additional value as a tool to assist all APEC members to achieve their free trade and investment goal.

Non-Tariff Measures (convened in association with Tariffs)

(a) Output

- In 1998, a list of measures recognised as non-tariff impediments to trade among APEC economies and a list of products affected by them
- In 1998, an expanded APEC database containing information and data on Customs, tariffs, trade flows and non-tariff measures

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- In 1999, a submission to APEC Ministers, based on consensus among members, listing priority sectors in which the progressive reduction of tariffs and non-tariff measures may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalisation

(b) Expected Benefits

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Energy

(a) Output

- In 1996, adoption by Ministers of 14 non-binding energy policy principles
- In 1996, phase II of the Power Infrastructure Initiative, aimed at identifying policies and institutional arrangements conducive to facilitating business sector investment in power infrastructure
- In 1997, phase III of the Power Infrastructure Initiative, involving implementation of the work programmes of the Ad Hoc Business Forum and the Electricity Regulators' Forum, endorsed by Ministers, to mobilise capital for power infrastructure investment

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(b) Expected Benefits

Huge amounts of investment capital will be required in the power sector over the period to 2010 to meet the rapid growth in demand for electricity. "Traditional" sources of investment capital - government budgets and multilateral lending agencies - will be inadequate to meet these investment requirements, and mobilising business sector investment will be crucial to ensure that electricity supply does not act as a bottleneck to economic growth. The business sector has clearly indicated that the level of investment provided will depend on the success of electricity supply industry reforms and associated policies.

Transportation

(a) Output

- In 1996, completion of Phase III of the Road Transportation Harmonisation Project to analyse 51 priority vehicle design features subject to regulation in the region
- In 1996, establishment of an expert group on the privatisation of transportation infrastructure projects
- In 1996, EDI messaging trials in 10 APEC economies
- In 1996, completion of Phase III of the Study of Transportation Congestion Points, including production of a "best practices" manual outlining policies to alleviate transportation congestion
- In 1996, an options paper on more competitive air services for consideration by Transport Ministers
- In 1996, completion of Phase I of the Seafarers Project evaluating the supply and demand of trained seafarers in the region

(b) Expected Benefits

The Road Transportation Harmonisation Project will lead to greater transparency of road vehicle standards and will identify areas where standards can be harmonised and MRAs agreed, facilitating trade in vehicles. The EDI messaging trials will identify difficulties and problems businesses encounter in using EDI for international trade and transport, enabling wider use of EDI for international regulatory and commercial purposes. The Congestion Points Study will result in the identification of problems affecting the movement of goods and people throughout the APEC region, and the "best practices" manual will provide examples and guidelines that can be used to alleviate congestion. The eight options identified could lead to the provision of more competitive air services in the region. By identifying any imbalances in the demand for and supply of seafarers, APEC will improve the efficiency of sea transport and improve trade.

(a) Output

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- In 1997, development of a model MRA on conformity assessment and implementation on an elective basis
 - In 1996, agreement by 16 APEC economies to conform by 1998 to the APEC Guidelines for Trade in International Value-Added Network Services
 - In 1996, adoption of a reference list of elements of a fully liberalised telecommunications services sector expected to be present in each APEC economy by or before 2010/2020
- (b) Expected Benefits

Improved harmonization of telecommunications standards and conformance will remove impediments to the telecommunications industry. Liberalisation of telecommunications services markets will enhance the development of APEC members and provide improved access to information technology.

Tourism

- (a) Output
- In 1996, a seminar (Chile) on overcoming impediments to tourism movements and investment in tourism
- (b) Expected Benefits

Tourism is an important sector for APEC economies and has the potential to become an even greater contributor to the economic growth of the region. Removing impediments to tourism will promote this.

Other Services

- (a) Output
- In 1996, work commenced on developing a work programme to seek collective actions in sectors other than the four covered by APEC Working Groups, to begin with information exchanges on barriers and impediments to services trade
- (b) Expected Benefits

The services sector is a large and expanding component of the economies of all APEC members. Increased transparency, and improved understanding of services-related issues, will assist APEC to meet its targets for liberalising and facilitating all services trade in the region.

Investment

- (a) Output
- In 1996, publication of a new edition of the APEC Investment Guidebook in both electronic and hard copy formats

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- In 1996, organisation of a business symposium in Tokyo (September)

(b) Expected Benefits

The collection and exchange of information will enhance the understanding of the regional investment environment on the part of APEC members and business communities, and expand members' knowledge of the priorities of the APEC business sector. The transaction costs of individual investment decisions will be reduced by the availability of authoritative and comparable information on the investment regimes of all APEC members.

Standards and Conformance

(a) Output

- In 1996, undertake alignment of member economies' standards with international standards in the following priority areas: electrical and electronic appliances (airconditioners, televisions, refrigerators, radio and its parts, and video apparatus); food labelling; and rubber gloves and condoms
- In 1996, completion of an APEC guide on alignment of member economies' standards with international standards
- From 1996, participation in standardisation activities of international standardisation bodies (ISO & IEC) in the following priority sectors: building and construction and hazardous area equipment
- In 1996, publication of the Report on Case Studies of Alignment with International Standards
- In 1996, completion of APEC Mutual Recognition Arrangement on Conformity Assessment of Foods and Food Products (APEC Food MRA)
- In 1996, completion of Arrangement for the Exchange of Information on Toy Safety between APEC Member Economies
- From 1996, establishment of and participation in a network of mutual recognition arrangements in voluntary sectors
- In 1996, adoption of a Mid-term Technical Infrastructure Development Programme (1996-2000)
- In 1996, an APEC Seminar on Bulk Pharmaceuticals in Vancouver (January), an APEC Seminar on Electromagnetic Compatibility in Singapore (August), and the first APEC Conference on Standards and Conformance in Manila (October)

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- In 1997, a survey on technical infrastructure development for measurement standards, laboratory management and accreditation; inspection bodies' quality systems, and certification bodies accreditation
- From 1997, implementation of a Partners for Progress (PFP) project on standards and conformity assessment schemes
- By 1997, a survey on transparency and access to member economies' standards and conformity assessment requirements
- In 1997, an APEC Seminar on Environmental Management Standards

(b) Expected Benefits

Alignment with international standards and the achievement of MRAs will reduce substantially the costs of cross-border trade among APEC members. They will assist also in reducing technical barriers to trade. While all business sectors will benefit, SMEs stand to gain in particular because of the reduced complexity of trade -related technical procedures. Consumers will also benefit with the availability of better quality products at competitive prices.

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Customs Procedures

(a) Output

- In 1996, harmonisation of tariff nomenclature among APEC members to the six digit level through adoption of the WCO Harmonised System
- In 1996, Customs seminars on computer applications (Singapore, August) and risk management (China, September)
- In 1996, a direct Customs-Industry Dialogue through an exhibition and symposium in Manila 15-16 October
- In 1997, adoption of the principles of the WTO Valuation System
- In 1998, a publicly available information manual on APEC members' Customs laws, regulations, administrative guidelines, procedures and rulings
- In 1998, adoption of the principles of the Kyoto Convention
- By 1999, computerisation of APEC Customs procedures via UN/EDIFACT
- By 2000, introduction of an Advance Classification Ruling System
- By 2000, adoption of the principles of the WTO TRIPs Agreement
- By 2000, clear appeal procedures introduced by all APEC members
- By 2000, facilities for temporary importation provided by all APEC members

(b) Expected Benefits

Customs procedures have an immediate and tangible effect on the cost of cross-border trade in goods. The simplification of procedures and efficiency gains resulting from APEC work will reduce such costs and benefit both traders and consumers. They will also facilitate trade participation by a broader cross-section of enterprises, and SMEs in particular, through a reduction in the complexity of transactions. The direct involvement of the private sector in the APEC process will accelerate simplification and harmonisation goals.

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Intellectual Property Rights

(a) Output

- In 1996, compilation of a Contact Points List and, from 1997, dissemination of the list on the APEC Secretariat Internet Home Page
- In 1996 and 1997, a scheduled programme of workshops and symposiums, including the APEC Industrial Property Rights Symposium in Tokyo (August 1996)
- In 1996, a survey of domestic IPR legislation
- In 1996, a study of trademark systems in each member economy for the purpose of facilitating the application of trademark registration in multiple APEC economies
- In 1997, an exchange of information on current practice concerning well-known trademarks, to study and explore ways in which the protection of well-known marks can be further enhanced
- In 1997, a survey of enforcement systems to develop principles for enforcement
- In 1997, a survey on technical cooperation to promote implementation of the TRIPS Agreement
- From 1997, a Partners for Progress (PFP) project on Industrial Property Rights, with the first training project to be held in Thailand (February-March 1997)

(b) Expected Benefits

The collection and dissemination of information will improve the understanding of IPR issues among APEC members and provide a basis for a programme of technical cooperation to facilitate TRIPS implementation. It will also support ongoing work in the WTO and WIPO. Enhanced information on IPR contacts will facilitate follow-up of specific issues as needs arise.

Competition Policy (convened in association with Deregulation)

(a) Output

- In 1996, a second workshop of APEC experts convened in Davao (August) to discuss competition policy and deregulation issues
- From 1997, implementation of APEC Partners for Progress Technical Assistance Seminars on Competition Policy

(b) Expected Benefits

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Improved transparency and understanding of the inter-relationship between competition policy and law, deregulation and other policies related to trade and investment will help APEC members to enhance the competitive environment in the region, to the benefit of producers, traders and consumers.

Government Procurement

(a) Output

- In 1996, development and distribution to APEC members of a list of Government Procurement (GP) contacts
- In 1996, establishment of an APEC GP Homepage on the Internet with linkages to the GP Homepages of individual members where available
- In 1996, an APEC seminar on GP Agreements convened in Manila (October)
- In 1997, completion of a survey on the GP systems of APEC members and arrangements to publish APEC information on GP
- In 1997, an APEC Seminar on GP Bid Challenges Procedures (Chinese Taipei) and a GP Training Course (China)

(b) Expected Benefits

APEC work will enhance the transparency of members' GP regimes, facilitate access to GP opportunities, and contribute to the evolution of work on government procurement in multilateral fora.

Deregulation (convened in association with Competition Policy)

(a) Output

- In 1996, coverage of the benefits of regulatory reform in a workshop of APEC competition policy experts convened in Davao (August)
- In 1997, reports from individual economies covering reforms to their domestic regulatory regimes and remaining regulatory barriers through the IAP process

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(b) Expected Benefits

Improved transparency and understanding of APEC economies' regulatory regimes will assist in correcting distortions which impact on free and open trade and investment in the Asia-Pacific region.

Rules of Origin (Policy, convened in association with UR Implementation)

(a) Output

- In 1996, a seminar on rules of origin convened in the Philippines (August)
- In 1996, member assessments of compliance with procedural obligations under the WTO Agreement on Rules of Origin, including notification responsibilities
- In 1997, publication of a comprehensive Guidebook on preferential and non-preferential rules of origin

(b) Expected Benefits

APEC initiatives will enhance understanding of the policy and practice of rules of origin, result in comprehensive information being made available to the private sector, and will help to ensure implementation of the WTO Agreement on Rules of Origin.

Dispute Mediation

(a) Output

- In 1997, publication of a list of the arbitration, mediation and conciliation services available in APEC member economies

(b) Expected Benefits

The availability of comprehensive information on alternative dispute resolution services will assist in the amelioration of disputes between private parties in the Asia-Pacific region, and between private parties and APEC economies.

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Mobility of Business People

(a) Output

- In 1996, publication of an APEC Business Travel Handbook providing information on the short-term entry and visa arrangements of APEC member economies

(b) Expected Benefits

Business travellers in the APEC region will benefit from readily available information on business travel requirements. Information exchange on business mobility issues will improve understanding of member economies' regulatory regimes and assist dialogue on streamlining and accelerating the mobility of business people.

UR Implementation (convened in association with Rules of Origin Policy)

(a) Output

- In 1996, convening of UR Implementation Seminars on Agriculture (Mexico City, March), SPS/TBT (Manila, May), and the WTO Anti-dumping Agreement (China, December)

(b) Expected Benefits

The 1996 seminars complement a series of four seminars held in 1995 on different UR Agreements (GATS, Rules, TRIPs and ROO). Together, they will assist APEC members in understanding and meeting UR commitments and constitute an important element in APEC's contribution to the WTO process.

Information Gathering and Analysis

(a) Output

- In 1996, activation of a Trade and Investment Data Database
- In 1996, publication of a report on Foreign Direct Investment, including coverage of Competition Policy and Intellectual Property issues
- In 1997, research on the significance of formal and informal sub-regional trading arrangements
- In 1997, a report of case studies on member economies' investment rule-making and liberalisation, and their impacts on specific industries

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- In 1997, an econometric model based on a general equilibrium framework and qualitative analysis of the economic impact of trade liberalisation under the Manila Action Plan for APEC (MAPA)
 - In 1997, publication of the 1997 APEC Economic Outlook which will include coverage of the benefits of trade and investment liberalisation
- (b) Expected Benefits

These outputs will provide information required to implement fully several areas of Part 1 (C) of the OAA, and will also provide APEC members with information needed to assess progress and guide the direction of future work. They will also help APEC members to demonstrate to wider constituencies, including the business sector, the returns accruing from the progressive implementation of the OAA.

CONCLUSION

In summary, 1996 has been a valuable period of development of the new and important procedures arising from the OAA. There has been a positive response to the transition of the APEC process from design to execution. Expectations of initial year outcomes have been realistic, but tangible results are evident even at this stage. They are likely to be increasingly attainable as the CAP process becomes less novel and more routine. Experience in the initial year will be evaluated, with a view to refining future formats and procedures.

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

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APEC Committee on Trade and Investment
November 1996

ANNEX TWO

**DISPUTE MEDIATION
PROGRESS REPORT ON COLLECTIVE ACTIONS**

The Osaka Action Agenda, under Item (d) of the Collective Actions of Issue Area 12 of Part 1(C) requires a report on progress, with recommendations, to be prepared by the end of 1996.

This report is provided herewith in the form of the summary record of the Meeting of the APEC Dispute Mediation Experts' Group held in Singapore on 22-23 April 1996.

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APEC EXPERTS' GROUP ON VOLUNTARY CONSULTATIVE DISPUTE MEDIATION

**DISPUTE MEDIATION
PROGRESS REPORT ON COLLECTIVE ACTIONS**

THE APEC EXPERTS' GROUP ON DISPUTE MEDIATION RECONVENED IN SINGAPORE ON APRIL 22-23, 1996, UNDER THE CONTINUING CHAIRMANSHIP OF CANADA, TO CONSIDER FURTHER THE POSSIBILITY OF CREATING A VOLUNTARY CONSULTATIVE DISPUTE MEDIATION SERVICE WITHIN APEC.

EXPERTS NOTED THAT AT THE NOVEMBER 1995 OSAKA SUMMIT, APEC LEADERS STATED THAT THEY "AGREE[D] ON THE DESIRABILITY OF AN APEC DISPUTE MEDIATION SERVICE, WITHOUT PREJUDICE TO RIGHTS AND OBLIGATIONS UNDER THE WTO AGREEMENT AND OTHER INTERNATIONAL AGREEMENTS." EXPERTS WERE ALSO MINDFUL OF COMMITMENTS UNDERTAKEN BY APEC MEMBERS ON DISPUTE MEDIATION IN THE *OSAKA ACTION AGENDA: IMPLEMENTATION OF THE BOGOR DECLARATION*.

EXPERTS AGREED TO CONTINUE THEIR DELIBERATIONS UNDER THE SAME GENERAL HEADINGS USED AT THEIR JUNE 1995 MEETING: RESOLUTION OF DISPUTES BETWEEN APEC MEMBER ECONOMIES, RESOLUTION OF DISPUTES BETWEEN AN APEC MEMBER AND A PRIVATE ENTITY OF ANOTHER APEC MEMBER, RESOLUTION OF DISPUTES BETWEEN PRIVATE ENTITIES, AND THE AVOIDANCE OF TRADE DISPUTES THROUGH INCREASED TRANSPARENCY.

GOVERNMENT-TO -GOVERNMENT DISPUTE MEDIATION

EXPERTS REAFFIRMED THE IMPORTANCE OF THE WTO DISPUTE SETTLEMENT PROCEDURES FOR DISPUTES BETWEEN GOVERNMENTS, CONSISTENT WITH THE WTO *UNDERSTANDING ON RULES AND PROCEDURES GOVERNING THE SETTLEMENT OF DISPUTES*.

EXPERTS CONCLUDED THAT APEC WORK ON DISPUTE MEDIATION SHOULD BE BASED ON THE FOLLOWING PRINCIPLES:

- (a) APEC dispute mediation should be aimed at encouraging greater confidence in the *Marrakesh Agreement Establishing the World Trade Organization*, and should be aimed at reinforcing the integrity of WTO procedures;

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- (b) APEC dispute mediation should be without prejudice to rights and obligations under the WTO Agreement and other international agreements, and should not duplicate or detract from WTO institutions and procedures;
- (c) APEC dispute mediation should be voluntary and encourage non-adversarial and voluntary approaches in the mutual economic interests of the parties involved, and with due regard for the interests of other APEC members;
- (d) work in APEC on dispute mediation should be in keeping with the evolution of APEC's work on trade and investment liberalization and facilitation goals;
- (e) APEC members should be encouraged to work within the framework of existing international agreements and conventions for the resolution of disputes involving private parties and to adopt appropriate domestic legislative arrangements to give effect to the aims of these agreements and conventions, including adequate enforcement of them; and
- (f) priority should continue to be given to facilitating access to information on mediation, conciliation and arbitration services available in member economies.

EXPERTS DISCUSSED OPTIONS FOR A DISPUTE MEDIATION SERVICE BASED ON THESE PRINCIPLES, INCLUDING IN PARTICULAR THE USE OF THE "TRADE POLICY DIALOGUE" OF THE COMMITTEE ON TRADE AND INVESTMENT (CTI).

RECALLING THAT AT THEIR JUNE 1995 VANCOUVER MEETING, EXPERTS NOTED THAT THE TRADE POLICY DIALOGUE PROVIDED AN EXISTING FORUM FOR PARTIES CONCERNED TO EXCHANGE VIEWS ON ANY MATTER THAT MAY LEAD TO A DISPUTE, AND ON A VOLUNTARY BASIS FOR THE COLLECTIVE EXAMINATION OF DISPUTES THAT MAY ARISE, EXPERTS OBSERVED THAT CAREFUL CONSIDERATION WOULD NEED TO BE GIVEN TO MODALITIES THAT COULD BE USED IN THE TRADE POLICY DIALOGUE FOR THE PURPOSES OF DISPUTE MEDIATION. SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED TO REQUEST THAT MEMBER ECONOMIES SUBMIT SPECIFIC SUGGESTIONS IN THIS REGARD WELL IN ADVANCE OF THE NEXT EXPERTS' GROUP MEETING.

EXPERTS ALSO DISCUSSED OTHER IDEAS FOR GOVERNMENT-TO-GOVERNMENT DISPUTE MEDIATION, SUCH AS THE ESTABLISHMENT AND MAINTENANCE BY THE APEC SECRETARIAT OF A ROSTER OF QUALIFIED MEDIATORS. SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED TO REQUEST THAT MEMBER ECONOMIES SUBMIT SPECIFIC SUGGESTIONS IN THIS REGARD WELL IN ADVANCE OF THE NEXT EXPERTS' GROUP MEETING.

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EXPERTS AGREED ON THE IMPORTANCE OF EDUCATION AND TRAINING IN THE AREA OF WTO DISPUTE SETTLEMENT AND AVOIDANCE, SIMILAR TO THE SERIES OF SEMINARS THAT HAVE BEEN HELD ON THE SUBJECT OF THE IMPLEMENTATION OF THE URUGUAY ROUND. ANY SUCH SEMINARS OR CONFERENCES SHOULD PROVIDE PRACTICAL, RELEVANT INFORMATION ON THE FUNCTIONING OF THE WTO DISPUTE SETTLEMENT UNDERSTANDING. EXPERTS REQUESTED THE CHAIR, ON THE BASIS OF INFORMAL CONSULTATION WITH INTERESTED MEMBER ECONOMIES, TO EXPLORE MORE SPECIFIC PROPOSALS FOR SEMINARS OR CONFERENCES IN THIS AREA, IN COLLABORATION WITH THE APEC AND WTO SECRETARIATS.

EXPERTS CONCLUDED THAT SINCE THE FUTURE EVOLUTION OF PROCEDURES FOR THE RESOLUTION OF DISPUTES IN THE APEC CONTEXT IS CONNECTED TO COMMITMENTS REGARDING TRADE AND INVESTMENT LIBERALIZATION AND FACILITATION IN APEC, THE EXPERTS' GROUP, UNDER THE COMMITTEE ON TRADE AND INVESTMENT, SHOULD KEEP THIS ISSUE UNDER ONGOING REVIEW.

PRIVATE-TO-GOVERNMENT DISPUTE MEDIATION AND MEDIATION OF DISPUTES BETWEEN PRIVATE PARTIES

EXPERTS CONSIDERED THE ISSUE OF MEDIATION AND OTHER MEANS FOR THE RESOLUTION OF DISPUTES BETWEEN PRIVATE ENTITIES AND GOVERNMENTS AND DISPUTES BETWEEN PRIVATE PARTIES IN THE APEC REGION, AND AFFIRMED THAT TIMELY AND EFFECTIVE PROCEDURES CAN CONTRIBUTE TO GROWTH IN TRADE AND INVESTMENT.

EXPERTS AFFIRMED THEIR FULL SUPPORT FOR THE COMMITMENTS UNDERTAKEN BY APEC MEMBER ECONOMIES IN THE *OSAKA ACTION AGENDA* TO:

- (a) accede where appropriate by 1997 to international agreements for the settlement of disputes between governments and private entities, such as the International Convention on the Settlement of Investment Disputes between States and Nationals of Other States;
- (b) accede where appropriate by 1997 to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; and
- (c) facilitate and encourage the use of procedures for timely and effective resolution of disputes between private entities and governments and disputes between private parties in the Asia-Pacific region.

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EXPERTS REVIEWED THE INFORMATION PROVIDED BY MEMBER ECONOMIES ON DISPUTE MEDIATION SERVICES CURRENTLY AVAILABLE UNDER EACH MEMBER'S DOMESTIC LAWS. SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED THAT THE CHAIR WOULD:

- (a) continue to compile the information received from Member economies;
- (b) where required, contact each Member economy to request additional information, with a view to ensuring consistency in the detail and quality of information provided; and
- (c) endeavour to summarize all information received in a standardized format, for consideration by Experts at their next meeting.

EXPERTS NOTED THAT THIS INFORMATION WOULD ALSO REQUIRE FURTHER ANALYSIS TO DETERMINE THE ADEQUACY OF EXISTING DISPUTE MEDIATION SERVICES, INCLUDING WITH RESPECT TO ENFORCEABILITY.

EXPERTS AGREED THAT ONCE THE COLLATION AND ANALYSIS OF THIS INFORMATION IS COMPLETE, IT SHOULD BE DISSEMINATED IN A PRACTICAL AND ACCESSIBLE FORMAT USEFUL TO THE BUSINESS COMMUNITIES OF THE APEC REGION. EXPERTS NOTED THAT THE *OSAKA ACTION AGENDA* RAISES THE POSSIBILITY OF PUBLISHING A GUIDE BOOK ON ARBITRATION, MEDIATION AND CONCILIATION SERVICES AVAILABLE IN EACH APEC ECONOMY. EXPERTS RECOMMENDED THAT THE MEANS OF DISSEMINATION SHOULD BE CONSIDERED AT THEIR NEXT MEETING, DRAWING ON CONSULTATION WITH THE PRIVATE SECTOR.

EXPERTS ALSO AFFIRMED THE IMPORTANCE OF EDUCATION AND TRAINING IN THE AREA OF THE SETTLEMENT OF DISPUTES BETWEEN PRIVATE ENTITIES AND APEC GOVERNMENTS, AND BETWEEN PRIVATE PARTIES IN THE APEC REGION. EXPERTS AGREED THAT SEMINARS OR CONFERENCES ON THESE ISSUES WOULD BE VERY USEFUL, AND SHOULD FACILITATE THE EXCHANGE OF VIEWS BETWEEN SPECIALISTS IN THE FIELD AND THE PRIVATE SECTOR USERS OF SUCH DISPUTE MEDIATION SERVICES. SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED TO REQUEST MEMBER ECONOMIES TO SUBMIT MORE DETAILED PROPOSALS IN THIS REGARD WELL IN ADVANCE OF THEIR NEXT MEETING.

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PROMOTION OF AVOIDANCE OF TRADE DISPUTES THROUGH INCREASED TRANSPARENCY

EXPERTS STRONGLY SUPPORTED THE COMMITMENTS UNDERTAKEN BY APEC MEMBER ECONOMIES IN THE *OSAKA ACTION AGENDA* TO PROVIDE ADEQUATE MEASURES TO MAKE ALL LAWS, REGULATIONS, ADMINISTRATIVE GUIDELINES AND POLICIES PERTAINING TO TRADE AND INVESTMENT PUBLICLY AVAILABLE IN A PROMPT, TRANSPARENT AND READILY ACCESSIBLE MANNER, AND TO PROMOTE DOMESTIC TRANSPARENCY BY DEVELOPING AND/OR MAINTAINING APPROPRIATE AND INDEPENDENT REVIEW OR APPEAL PROCEDURES TO EXPEDITE REVIEW AND, WHERE WARRANTED, CORRECTION OF ADMINISTRATIVE ACTIONS REGARDING TRADE AND INVESTMENT.

EXPERTS OBSERVED THAT THEIR PROPOSED WORK ON DISSEMINATION OF INFORMATION ON DOMESTIC DISPUTE MEDIATION SERVICES AS SET OUT IN PARAGRAPH 15 ABOVE, THROUGH A GUIDE BOOK OR OTHER MEANS, WILL ITSELF PROMOTE DISPUTE AVOIDANCE THROUGH INCREASED TRANSPARENCY.

EXPERTS CONSIDERED OTHER PROPOSALS TO PROMOTE INCREASED TRANSPARENCY, INCLUDING DESIGNATING A CENTRAL CONTACT POINT WITHIN EACH APEC GOVERNMENT FOR BUSINESSES ENGAGED IN TRADE AND INVESTMENT IN THAT ECONOMY, ENCOURAGING ARBITRATION OR OTHER FORMS OF ALTERNATIVE DISPUTE RESOLUTION SIMILAR TO THE INITIATIVES UNDERTAKEN BY THE NAFTA GOVERNMENTS, THE OFFICE OF THE TRADE AND INVESTMENT OMBUDSMAN IN JAPAN, AND THE PACIFIC BUSINESS FORUM PROPOSAL FOR SIMILAR OFFICES IN EACH MEMBER ECONOMY. EXPERTS ALSO NOTED THAT REGULATORY REFORM IN VARIOUS MEMBER ECONOMIES ITSELF CONTRIBUTES TO ENHANCING TRANSPARENCY. SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED TO REQUEST THAT MEMBER ECONOMIES SUBMIT SPECIFIC SUGGESTIONS IN THIS REGARD WELL IN ADVANCE OF THE NEXT EXPERTS' GROUP MEETING.

EXPERTS AGREED ON A FORMAT FOR A DRAFT REPORTING MATRIX ON *OSAKA ACTION AGENDA* COLLECTIVE ACTIONS FOR COMPLETION BY MEMBER ECONOMIES IN ADVANCE OF THE NEXT MEETING OF THE COMMITTEE ON TRADE AND INVESTMENT.

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SUBJECT TO THE VIEWS OF THE COMMITTEE ON TRADE AND INVESTMENT, EXPERTS AGREED THAT MAKING PUBLICLY AVAILABLE THE REPORTS OF THIS AND ITS PREVIOUS MEETING WOULD FURTHER THE GOALS AND OBJECTIVES OF APEC IN THIS AREA.

CONVENOR'S REPORT ON COLLECTIVE ACTIONS OSAKA ACTION AGENDA ISSUE AREA (1): TARIFFS

Status

The matrix format was agreed at the CTI's May meeting in Cebu, following discussions at earlier CTI sessions and fax exchanges among members. The matrix report was finalised in July, following receipt of confirmations from all APEC members. Final versions were despatched to APEC members on 23 July 1996.

Comments

The Collective Action Plan (CAP) builds on specific Collective Actions contained in the Osaka Action Agenda (OAA). These are expressed as OAA *objectives*, and a series of *actions* are defined as steps towards achieving them. They cover both *collective* actions, and *individual* contributions towards them. Time frames are expressed both generally (Short Term, Medium Term etc) and in terms of years in which actions should be completed. The first area of the plan commits APEC members to the actions required to create a computerised tariff database and associated network. The second area sets out steps towards developing a list of priority industry sectors in which the progressive reduction of tariffs may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalisation. The matrix is distinctive in that all APEC members have agreed to the same set of actions, and the one matrix applies to all. Further collective actions for incorporation in future CAPs on Tariffs may be indicated either in the process of executing those already agreed, or as a result of the parallel Individual Action Plan process.

APEC Deliverables

- By 1997, an APEC database of applied tariffs for APEC members accessible electronically and in other user-friendly formats.
- By 1999, a submission to APEC Ministers listing priority industry sectors in which the progressive reduction of tariffs may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalisation.

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Chair, APEC Committee on Trade and Investment
23 July 1996

OSAKA ACTION AGENDA COLLECTIVE ACTIONS: (1) TARIFFS
MEMBER ECONOMYALL MEMBER
ECONOMIES.....

OAA OBJECTIVES	ACTION	DATE
<i>(a) Develop and keep a computerised tariff database (APEC tariff database) and work towards establishing a database network without duplicating but rather supporting the WTO work in this area.</i>	<u>Short Term</u>	
	Collective: maintain CTI support of the Tariff Database Task Force (TDTF) project.	1996
	Individual: submit current tariff information to TDTF Convenor.	1996
	Collective: implement method to make tariff information available to private sector electronically (e.g. on the APEC Internet Homepage) as well as in other user-friendly formats.	1997
	Individual: submit current trade data, and any other information which is collectively agreed to be required to expand the database network, to the Tariff Database Manager.	1998

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OAA OBJECTIVES	ACTION	DATE
	<u>Ongoing</u>	
	Individual: Provide regular updates of tariff information as changes occur, and provide annual updates of trade and other agreed data to the APEC database. To support WTO, provide tariff and trade data annually in accordance with WTO obligations. Non-WTO members may provide the information required	1997 - 2010/2
<i>(b) Identify industries in which the progressive reduction of tariffs may have positive impact on trade and on economic growth in the Asia-Pacific region, or for which there is regional industry support for early liberalisation*.</i>	Short-term <u>Short-term</u> measure.	
<i>(*Note: referred to elsewhere as "priority industry sectors").</i>	Collective: invite regional business representatives, through ABAC and other appropriate regional fora, such as PECC and PBEC, to identify priority industry sectors.	1997

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OAA OBJECTIVES	ACTION	DATE
	<u>Short Term</u>	
	Individual: develop a member economy perspective by inviting domestic industries to identify priority industry sectors.	1997
	Collective: explore the possibility of accessing WTO trade and tariff databases to help identify priority industry sectors.	1997
	Collective: develop an approach for analysing tariff, trade, non-tariff measures and other information contained in the Tariff Database network and elsewhere, to help identify priority industry sectors.	1998
	Collective: based on consensus among members, develop a list of all priority industry sectors identified for submission to Ministers through the SOM, following discussion in the	1999

CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (2): NON-TARIFF MEASURES

Status

The matrix format was agreed at the CTI's May meeting in Cebu, following discussions at earlier CTI sessions and fax exchanges among members. The matrix report was finalised in July, following receipt of confirmations from all APEC members. Final versions were despatched to APEC members on 23 July 1996.

Comments

The Collective Action Plan (CAP) builds on specific Collective Actions contained in the Osaka Action Agenda (OAA). These are expressed as OAA *objectives*, and a series of *actions* are defined as steps towards achieving them. They cover both *collective* actions, and *individual* contributions towards them. Time frames are expressed both generally (Short Term, Medium Term etc) and in terms of years in which actions should be completed. The matrix is distinctive in that all APEC members have agreed

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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to the same set of actions, and the one matrix applies to all. The first area of the CAP commits members to an information exchange on Non-Tariff Measures (NTMs), and the compilation of a list of such measures. The second area sets out steps towards a list of priority industry sectors, parallel to that for Tariffs. The third area requires an information exchange on export subsidies, and the development of approaches leading to their progressive reduction and abolition. The fourth area sets out similar measures with respect to export prohibitions. Further collective actions for incorporation in future CAPs on NTMs may be indicated either in the process of executing those already agreed, or as a result of the parallel Individual Action Plan process.

APEC Deliverables

- By 1998, a list of measures recognised as non-tariff impediments and a list of products affected by them.
- By 1999, a submission to APEC Ministers listing priority industry sectors in which the progressive reduction of NTMs may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalisation.

Chair, APEC Committee on Trade and Investment
23 July 1996

**OSAKA ACTION AGENDA COLLECTIVE ACTIONS: (2) NON-TARIFF MEASURES
MEMBER ECONOMY:.....ALL MEMBER
ECONOMIES.....**

OAA OBJECTIVE	ACTION	DATE
<i>(a) Pursue incorporation of information on non-tariff measures into a future version of the APEC tariff database and compile a list of measures recognised as non-tariff impediments and a list of products affected by those impediments.</i>	<u>Short Term</u>	
	Individual: exchange through the CTI, and where possible make available electronically (e.g., through the APEC Internet Homepage), information on non-tariff measures utilising existing WTO formats as a reference.	1997
	Collective: identify ways information on non-tariff measures can be incorporated into the APEC database being developed by the Tariff Database Task Force.	1997

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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OAA OBJECTIVE	ACTION	DATE
	Collective: on the basis of information exchanged, compile a list of measures recognised as non-tariff impediments and a list of products affected by those impediments.	1998
	<u>Short Term and Ongoing:</u>	
	Collective: develop and update the contents of the APEC database in association with other international organisations (e.g., WTO and UNCTAD).	1998 - 2010/2

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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OAA OBJECTIVE	ACTION	DATE
	Collective: review information available from APEC members and other sources (e.g., WTO, UNCTAD, ABAC, PECC and other appropriate industry fora) and determine (a) what additional information might be useful and how it might be obtained and (b) what further APEC Collective Actions are appropriate and possible.	1998-2010/20
<i>(b) Identify industries in which the progressive reduction of non-tariff measures may have positive impact on trade and on economic growth in the Asia-Pacific Region, or for which there is regional industry support for early liberalisation*</i> <i>Note: referred to elsewhere as "priority industry sectors".</i>	Collective: invite regional business representatives, through ABAC and other appropriate regional fora such as PECC and PBEC, to identify priority industry sectors. Individual: develop a member economy perspective by inviting domestic industries to identify priority industry sectors.	1997
	Collective: explore the possibility of accessing WTO trade and tariff databases to help identify priority industry sectors.	1997

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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OAA OBJECTIVE	ACTION	DATE
	Collective: develop an approach for analysing tariff, trade, non-tariff measure and other information contained in the Tariff Database network and elsewhere, to help identify priority industry sectors.	1998
	Collective: based on consensus develop a list of all priority industry sectors identified for submission to Ministers through the SOM, following discussion in the CTI.	1999
<i>(c) Progressively reduce export subsidies with a view to abolishing them.</i>	Short Term	
	Individual: exchange through the CTI, and where possible make available electronically (e.g., through the APEC Internet Homepage), information on all export subsidies, utilising existing WTO formats as a reference.	1997
	Medium Term	
	Collective: discuss further measures to enhance transparency of export subsidies, building on the exchange of information among APEC members.	2000

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ACTIONS

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OAA OBJECTIVE	ACTION	DATE
	<u>Short Term and Ongoing</u>	
	Collective: develop approaches leading to the progressive reduction of export subsidies by members, with a view to abolishing them in support of WTO agreements.	1997- 2010/20
<i>(d) Abolish unjustifiable export prohibitions and restrictions and endeavour to refrain from taking any such new measures.</i>	Short Term	
	Individual: exchange through the CTI, and where possible make available electronically (e.g., through APEC Internet Homepage), information on all unjustifiable export prohibitions and restrictions utilising existing WTO formats as a reference.	1997
	Medium Term	
	Collective: discuss further measures to enhance transparency in unjustifiable export prohibitions and restrictions, building on the exchange of information among APEC members.	2000

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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OAA OBJECTIVE	ACTION	DATE
	<u>Short Term and Ongoing</u>	
	Collective: develop approaches leading to the progressive reduction of unjustifiable export prohibitions and restrictions by members, with a view to abolishing them.	1997- 2010/20

**CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (3): SERVICES
(TELECOMMUNICATIONS, TRANSPORTATION, ENERGY, TOURISM)**

Status:

The CTI agreed on a common matrix for reporting collective actions, based on a model developed by the Transportation Working Group. The CTI also asked that the reports give indications of timeframes and future actions.

Comments:

The report on the Services matrices is unique because it deals with four distinct issue areas as well as "other services". Nevertheless, common themes or approaches can be identified. Generally, the CTI and Working Groups work on services are committed to reducing market restrictions and harmonizing regional standards. Mutual recognition agreements are viewed as an important aspect of trade facilitation. The Energy Working Group has a specific focus on investment.

Energy: The Collective Action Plan of the Energy Working Group focuses on key elements endorsed in the Leader's Action Agenda, i.e., facilitating investment, and achieving acceptance of equivalence in accreditation and the increased harmonisation of energy standards. The report does not specify timeframes and the Working Group might be encouraged to consider doing so.

Transportation: The Collective Action Plan of the Transportation Working Group presents concrete actions for progress on trade and investment liberalization and facilitation. The WG has specified general timeframes (short, medium, long terms) for accomplishing its goals.

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Telecommunications: The Telecommunications Working Group has provided detailed information based on a general matrix describing follow-up work in each of the eight areas of collective actions and appends details by Member and by area appended. The matrix will be reviewed at each Working Group meeting, based upon intercessional contact and submissions from economies updating the status of their liberalization programs.

Tourism: The Tourism Working Group has described its implementation steps and expected output, over the short- to mid-term, to achieve the identified collective actions.

Other Services: The CTI has agreed to develop a work program on broader services sectors, beginning with information exchanges on barriers and impediments to services trade.

APEC Deliverables

Short-Term (1997-2000):

- | | |
|---------------------|--|
| Telecommunications: | <ul style="list-style-type: none">▪ For most Members, conformance with APEC Guidelines for Trade in IVANS▪ Development of model MRAs |
| Transportation: | <ul style="list-style-type: none">▪ Possible development of a model MRA for road vehicles▪ Trials of key EDI messages |
| Energy: | <ul style="list-style-type: none">▪ Establishment of priority cooperative initiatives in regional cooperation for power infrastructure▪ Establishment of a framework for achieving the mutual acceptance of test facilities and test results and reduce/remove need for multiple testings |
| Tourism: | <ul style="list-style-type: none">▪ Inventory of impediments and the development of |

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a program for their removal

- Other Services:
- Development of a work program on broader services sectors, beginning with information exchanges on barriers and impediments to services trade

**OSAKA ACTION AGENDA COLLECTIVE ACTIONS
(3) SERVICES**

<p><u>OAA Objective:</u> <i>APEC economies will take the following Collective Actions with regard to services in the telecommunications, transportation, energy and tourism sectors, and continue to seek Collective Actions in other sectors.</i></p>	<p>Collective Actions</p>	
<p>Telecommunications</p>	<p>See attached</p>	
<p>Transportation</p>	<p>See attached</p>	
<p>Energy</p>	<p>See attached</p>	
<p>Tourism</p>	<p>See attached</p>	
<p>Other Services:</p>	<p>Begin discussions to seek Collective Actions in other services' sectors where Collective Actions can be initiated.</p>	
	<p>Summarize the treatment of services in the Individual Action Plans.</p>	
	<p>Summarize ongoing work in GATS and other fora. Develop an approach towards developing a short- to medium-term services work program.</p>	

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

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Telecommunications

This is a set of documents that addressed the collective actions of Trade and
Investment Liberalization and Facilitation (TILF) in the area of Telecommunications:

Attachment A TILF Collective Actions

Attachment B Additional Collective Actions agreed

Attachment C Reference List of Elements of a Fully Liberalized
Telecommunications Services Sector

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Attachment A

**TELECOMMUNICATIONS WORKING GROUP: PROGRESS ON TRADE AND INVESTMENT LIBERALIZATION AND FACILITATION ISSUES
as at 14th TEL, 26 July 1996**

COLLECTIVE ACTIONS	DATE	FOLLOW UP BY TEL WG
1 Conformance with the APEC Guidelines for Trade in International Value-Added Network Service (IVANS).	Majority will conform by 1998	China and Papua New Guinea will comply within Bogor Timetable.
2 Conformance with APEC Guidelines for Harmonization procedures for equipment certification.		Information from each Economy has been exchanged with a view to establishing consistency with the Guidelines.
3 Work towards harmonization of administrative procedures governing certification of customer telecommunications		All Economies support and are currently progressing towards harmonization.
4 Development and implementation, on an elective basis, of mutual recognition arrangements for conformity		A TEL drafting group coordinated by Canada is seeking to finalized a draft by July 1996. The concept has received general support from all Economies.
5 Development of collective action plans for liberalization of the telecommunications sector.		In progress. Plans to be reviewed at each TEL.
6 Progressively reduce restrictions on market access for telecommunications services.		All Economies are either currently open to competition or are reviewing restrictions on market access with the aim of reducing restrictions.
7. Progressively provide for non-discriminatory treatment of all telecom providers.		While most Economies' regulatory framework provides for non-discriminatory treatment, others are restricted in progressing this until after the current round of WTO GBT
8 Encourage business/private sector investment and participation in providers of telecommunications		All Economies encourage business/private sector investment as far as possible under their current guidelines.

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services.		
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Attachment B

Additional Collective Actions

Six new collective actions were agreed.

1. *Adopt the Reference List of Elements of a Fully Liberalized Telecommunications Services Sector expected to be present in each APEC economy by or before the Bogor Declaration liberalization timetable of 2010 or 2020.*

A draft list had been circulated in advance of the meeting. Amendments were incorporated to clarify matters concerning the responsibilities of governments and the reality of physical constraints on certain resources. An introductory statement was added to explain the purpose and status of the Reference List of Elements. Final text is at attachment C.

2. *Form a study group on transparent funding of universal delivery of basic telecommunications services under conditions of liberalized markets, to report to 15th TEL.*

There was unanimous support for the formation of a study group to investigate the issues faced by administrations liberalizing their telecommunications sectors while having ongoing requirements to support extension of access to telecommunications to areas where it may not be commercially attractive.

Hong Kong agreed to lead the study group, with Australia, the United States, Japan, Chile, the Philippines and Chinese Taipei also joining the group.

3. *Agreeing that domestic and commercial consumers of telecommunications services should enjoy significant cost reductions which result from liberalization, establish a task group to develop an appropriate set of*

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indicators to measure the benefits of liberalization to users, and to make a proposal to 15th TEL on the use of such indicators in TEL work.

Members initially considered a proposal to adopt a general performance indicator related to pricing, but preferred to adopt the study option at this stage. The task group initially is made up of Australia and Japan.

4. *Recognizing that Economies have not endorsed any particular item and are not committed to any particular item, recommend the Comprehensive reference List of Actions, compiled from the suggestions of TEL members and reflecting, in part, Regulatory Principles developed in WTO negotiations, as a resource paper for Economies to consider in developing their Individual Action Plans and individual sectoral program for liberalization.*

The Comprehensive Reference List of Actions is a compilation developed since 12th TEL. Format and drafting was discussed at 13th TEL, and drafts circulated to Liberalization Steering Group (LSG) members for comment and additions prior to 14th TEL. Its purpose has always been as a reference collection upon which members could draw, if they wish, in developing their own liberalization proposals. Individual points listed have not been the subject of debate or discussion, other than to develop consistency of format, and there has been no collective agreement on the virtue of all or any of the points collated in this list. The form of words in which the list has been identified as a collective action reflects concern on the part of some members to make this clear. The "collective action" consists only of the compilation and circulation of the list to assist members in their work on liberalisation issues.

5. *Establish a task group to develop a formal plan and proposal for a seminar on "Liberalization Effects in Telecommunications", to assist telecommunications officials and industry to assess the legal and commercial implications of liberalization for international telecommunications trade; to identify common strategies to ensure flourishing telecommunications industry throughout the APEC region; and to share experience in planning and implementing the transition towards a liberalized telecommunications environment.*

Noting that common issues related to liberalization are being addressed in a number of fora and that the impact of decisions reached in the WTO Group on Basic Telecommunications (BGT) would be widespread, the proposal was strongly supported by members from a range of economies. A key element of support was that the seminar would bring together relevant experts and policy officials with operational members of the telecommunications industry, to raise common appreciation of the issues facing the industry in transition to liberalization. Indonesia offered (subject to confirmation from capital) to host the proposed seminar. New Zealand, Australia,

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Japan and Chile joined the task group to support Indonesia in development of the project. The first priority is to seek to enter a funding proposal for consideration by the BAC in August 1996, in order to meet the preferred timetable for the seminar of a date in December 1996.

6. *Establish a task group to develop a plan, and proposal for a seminar, on the development and application of Mutual Recognition Arrangements.*

This action arose from the report of the MRA project group, and was further developed by the task group immediately following the Steering Group meeting. The Steering Group agreed to a seminar proposal being introduced directly to the plenary session once developed by the MRA Task Group.

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Attachment C

**Reference List of
Elements of a Fully Liberalized Telecommunications Services Sector.**

The following elements are recognized as a general description of the fully liberalized telecommunications services environment towards which each Economy will plan its own path, in line with the prevailing legal and regulatory environment and government structure of each economy, within the framework of the Bogor Declaration timetable for achieving free trade and investment in the APEC region.

1. In a fully liberalized telecommunications sector **users** would have:
 - a) choice of supplies of telecommunications services, offering a full range of services, including telephony, data, news and information, and fully interactive services;
 - b) choice of suppliers of telecommunications services offering lower prices, greater convenience of specialist service offerings; and
 - c) ready access to timely information about customer services and billing.

2. In a fully liberalized telecommunications sector, **suppliers of telecommunications services** would be able to extend their business activity without restrictions on entering the market, including:
 - a) restrictions on the number of network providers or installers of network infrastructure, except where limited by scarce physical resources;
 - b) complex or time-consuming licensing arrangements;
 - c) restrictions on foreign-owned carriers and service providers; or
 - d) restricted access to the network infrastructure of other suppliers (i.e., interconnection).

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3. In a fully liberalised telecommunications sector, suppliers of telecommunications services and users would both benefit from a full range of **competitive safeguards** that:
 - a) prevent a dominant supplier from abusing market power;
 - b) prevent domestic companies being favored; and
 - c) provide clear and accessible (i.e., 'transparent') laws, regulations and administrative procedures, which would ensure non-discriminatory treatment of service providers and users.

4. In a fully liberalized telecommunications sector **investors** would have confidence to invest in the telecommunications industry and in companies reliant on telecommunications services, on the basis of stable legal and administrative arrangements that remove the risk of arbitrary or unexpected changes in the commercial environment.

5. In a fully liberalized telecommunications sector, **Governments** would have clearly defined responsibility to:
 - a) provide for transparent and non-discriminatory policy arrangements to meet the needs of their Economy;
 - b) ensure that the regulatory authority responsible for telecommunications is legally and structurally independent, with legal responsibility to act impartially and expeditiously, and with adequate resources to fulfill its function;
 - c) ensure transparent mechanisms to support universal access to standard telecommunications services as agreed within each individual Economy;
 - d) fairly allocate scarce resources, such as spectrum, numbering and right of way; and
 - e) provide for a full range of consumer protection measures.

TRANSPORTATION WORKING GROUP : PROGRESS ON TRADE AND INVESTMENT LIBERALISATION AND FACILITATION ISSUES

ST=Short Term (1996 - 2000)

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MT=Medium (2000-2005)

LT=Long Term (2005-2010)

	COLLECTIVE ACTIONS	FOLLOW UP BY TPT-WG
1	Promote the implementation of International Civil Aviation Organisation (ICAO) and International Maritime Organisation (IMO) standards, regulations and safety measures. (No Lead Economy)	TPT-WG is to develop a clear statement of implement this objective and liaise with ICAO regarding a structure to assist member economies those measures/harmonise interpretation of rules. The WG will develop later projects to address deficiencies to uniform practice, benchmark further requirements.
2	Complete the Road Transport Harmonisation Project and encourage the development of mutual recognition arrangements for road transport. (Lead Economy: Australia)	Phase 3 of this project is underway and expected to be completed by December 1996. It is aimed at harmonising priority vehicles design features which are subject to regulation in the APEC region to allow consistency of vehicle and vehicle components complying with alternative standards by individual economies. A draft "model" mutual recognition agreement was considered at the 9th TPT-WG and followed by members' legal experts, will be considered for action at the 10th TPT-WG in November 1996.

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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3	Encourage involvement in dialogue with the United Nations Economic Commission for Europe (UNECE) and strive to move towards harmonisation of road vehicle regulations within an appropriate international forum: (Lead Economy: Australia)	The TPT sub group on Road Transport Harmonisation is currently examining ways to dialogue and/or work with UNECE and other appropriate international forums.
4	Examine the possibility of taking appropriate steps to facilitate privatisation or corporatisation of transportation infrastructure projects. (Lead Economy: Indonesia)	Indonesia presented a proposal for the establishment of an expert group to facilitate privatisation or corporatisation of transportation infrastructure projects. At the 9th TPT, the group was established to establish an expert group. The establishment of the group is proceeding.
5	After completing in 1995, Phase 2 of the Transportation Electronic Data Interchange Study identifying barriers to transportation industry use of Electronic Data Interchange (EDI), initiate a pilot Electronic Data Interchange trial program, and determine future direction in the adoption of Electronic Data Interchange as widely as possible throughout the transport sector in the region. (Lead Economy: Australia)	Phase I of the project involving the gathering of information on EDI usage, barriers and measures to facilitate the use of EDI, has been completed and a report was published by the APEC Secretariat in March 1995. Phase 2 of the project addressed the issue of harmonisation of EDI created by requirements for paper documents. A report on this matter was presented to the TPT in September 1995. Phase 3 of the project, involving trials of key EDI messages, is currently in hand. The TPT-WG agreed to a project plan for management of the trials. Subject to successful completion of the trials, consideration could be given to using the results of the trials to undertake activities to increase awareness and understanding by industry, and facilitate the implementation of EDI by businesses in the related trade sectors.

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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6	Seek to eliminate the requirement for paper documents (both regulatory and institutional) for the key messages relevant to international transport and trade as soon as practicable within the next 10 years. (Lead Economy: Australia)	A number of economies have already taken to implement this objective. However, it is essential that APEC member economies must assist relevant parties to ensure the eliminating requirements for paper documents within the time frame agreed at the 8th TP' The TPT-WG will monitor progress at member economies to comply.
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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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TRANSPORTATION WORKING GROUP: ACTION PROGRAMME ITEMS ON WHICH NO CONSENSUS WAS REACHED ON INCLUSION AS TILF COLLECTION

ACTIONS

	<p>To establish, by 1995, a small group to jointly prepare an options paper for consideration by all APEC Members, on a consensus basis, for more competitive air services with fair and equitable opportunity for all members. (Lead Economy: Singapore)</p>	<p>A small group of 13 economies was convened in Singapore and met in October 1995. The group developed eight options for more competitive air services with fair and equitable opportunity for all members in the region.</p>
	<p>To complete in 1996 a survey of aviation personnel licensing requirements in the APEC region. (Lead Economy: Australia)</p>	<p>Survey results from initial group of occupational health and safety experts presented at the 9th TPT-WG, which also a new survey of licensing requirements for air controllers. A contact list of relevant aviation authorities for licensing requirements is being developed. Further consideration is to be given to staff exchange arrangements.</p>

Note : The TPT-WG is currently attempting to arrive at a consensus on the categorisation of the above items.

ENERGY WORKING GROUP: PROGRESS ON TRADE AND INVESTMENT LIBERALISATION AND FACILITATION ISSUES

	COLLECTIVE ACTIONS	FOLLOW UP BY EWG
1	<p>Facilitate investment in the energy sector by: (i) identifying by the end of 1996, institutional, regulatory and procedural impediments that affect investment in electricity infrastructure; (ii) developing, by the end of 1996, a guidance framework to facilitate investment; (iii) developing, by the end of 1999, coordinated solutions to more complex issues based on the outcomes of the above activities, and extending these activities to other aspects of the energy supply chain where appropriate; (iv) considering, in the long term, issues and associated with facilitating transborder infrastructure and financing thereof.</p>	<p>Phase 1 involved the production of a consultancy report entitled "Regional Cooperation for Power Infrastructure". In October 1995, the EWG agreed to establish an Ad Hoc Business Forum and an Electricity Regulators Forum to consider the findings of the report and determine priority actions. Both Fora have developed proposed work programs setting out a series of priority cooperative initiatives. Energy Ministers, at their meeting in August, directed the EWG to determine at its next meeting the appropriate bodies to carry out the various elements of the work programs, and to finalise budgets and implementation timetables.</p>

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2	<p>Accept equivalence in accreditation and increase harmonisation of energy standards by:</p> <p>(i) establishing, by the end of 1996, the basis for mutual recognition of testing protocols and accreditation of laboratories, and the acceptance of test results arising from them;</p> <p>(ii) reaching, by the end of 1999, agreement on the mutual recognition of testing protocols and accreditation of laboratories, and the acceptance of the test results arising from them; and</p> <p>(iii) extending, in the long-term, work on energy standards to specific products starting from domestic appliances and going on to selected items of industrial and commercial equipment.</p>	<p>The EWG's initial focus is on the mutual acceptance of accredited test facilities and standard test results obtained at these facilities. At the meeting of Energy Ministers in August, officials were asked to develop a base on which mutual acceptance of accredited test facilities and standard test results obtained at these facilities can be achieved.</p>
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TWG TILF MATRIX

TOURISM

Priority Area/Theme : 1. Removing Barriers to Tourism Movements and Investment and Liberalizing Trade in Services Associated with Tourism

Program/Activity and Specific Sub-Activities	Lead Economy and Co-Sponsors	Time Frame	Status	Fund Source	Fee
<p>1. To identify Impediments to Tourism Growth and Formulate Strategies that will Improve Tourism Movements and Investment in the Region</p> <p>A. Conduct a Study on public and private sectors of APEC economies on the impediments/barriers to Tourism</p>	<p>Lead AUSTRALIA Co-Sponsors PAPUA NEW GUINEA, SINGAPORE, USA</p>	1995-1996	Completed: The final report was delivered at the 9th TWG Meeting to be submitted to SOM for final approval	Central Fund	A full r moveme identifi liberali: tourism that the -focus c issues/i: -networ constitu

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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B. Conduct a seminar on impediments in Tourism movements to discuss conclusions of report and identify future courses of action.	Lead CHILE Co-Sponsors AUSTRALIA	Sept. 1996	Seminar held in association with 9th TWG Meeting. TWG to prepare an action plan to address issues raised.	Central Fund other A - Integr informa Particip -the req -the opp GATS -the nec change to those realized
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Priority Area/Theme : 1. Removing Barriers to Tourism Movements and Investment and Liberalizing Trade in Services Associated with Tourism

Program/Activity and Specific Sub-Activities	Lead Economy and Co-Sponsors	Time Frame	Status	Fund Source	Fee
2. Raise Awareness on the Economic Impact to Tourism in the Region A. Conduct a study on the Economic Impact of Tourism in the APEC Region B. Develop and implement a communication plan to enhance the awareness of the economic importance of tourism among APEC economies	Lead AUSTRALIA Co-Sponsors NEW ZEALAND, SINGAPORE, CHINESE TAIPEI, CANADA, CHINA	1996-1997. Draft results for consideration at 10th TWG Meeting for release mid 1997 1997-1999	Ongoing. Conducted by World Travel Tourism Council (WTTC) To be discussed at the 10th TWG Meeting	Central Funds WTTC To be determined	The rep impact region. -raise a decision -highlight industries for new creator -provide further trade in -raise th the eco -build s facilitat

**CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (4): INVESTMENT**

Status

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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The format of the matrices prepared by each member economy was agreed at the meeting of the Investment Experts Group (IEG) held in Singapore in April 1996 and endorsed at that time by the CTI. The summary matrix was agreed at the meeting of the IEG held in Tokyo in September 1996. The completed matrices were despatched to the CTI Chair at the end of September 1996.

Comments

The matrices set out the collectively-agreed actions relating to investment to be taken under the Osaka Action Agenda. Actions are grouped under four primary headings: transparency; policy dialogue; facilitation; and cooperation. The action agenda item under the facilitation heading is drawn from the IEG's Investment Action Plan. Actions are also grouped as short, medium or long term.

Under the agreement reached by the IEG at its meeting in Singapore, and endorsed at that time by the CTI, provision was made in the format of the matrices for the inclusion of additional actions that might be taken by individual member economies in support of the collectively-agreed action goals. Some such additional actions have been included in the matrices prepared by member economies and are indicated in the fourth column of the summary matrix. These additional actions relate only to the individual member economies that have listed them and there is no implication or expectation that they will be undertaken by other member economies.

APEC Deliverables

- In 1996, publication of a new edition of the APEC Investment Guidebook in both electronic and hard copy formats, and its provision on the Internet.
- In 1996, the holding in Tokyo of the Second APEC Investment Symposium for business representatives and investment officials.

N F Hyden
Chair, Investment Experts Group
30 September 1996

Action Agenda	Collective Actions	Timing of Collective Actions	Indivi
Transparency Short Term			

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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<p>A. Increase in the <u>short term</u> the transparency of APEC investment regimes by:</p> <p>(i) updating the APEC Guidebook on investment regimes;</p>	<p>Publish third edition of the APEC Investment Guidebook.</p> <ul style="list-style-type: none"> submit contributions to the Guidebook. <p>Consider putting Guidebook on the Internet and agree to arrangements for updating data.</p>	<p>Completed</p> <p>Completed</p> <p>Internet - 1996; agreement on arrangements - 1997 By July 1997</p>	<p>Nominate Guidebook</p> <p>Advise the Guidebook</p> <p>Update appropriate</p> <p>Consider investment</p> <p>Internet I Regularly have established</p>
<p>(iii) improving the state of statistical reporting and data collection.</p>	<p>Contribute to the work of the Trade and Investment Data Review Working Group on investment statistics.</p>	<p>Ongoing</p>	<p>Provide r</p> <p>Identify investment</p> <p>in statistics</p> <p>Consider recomme</p>
<p>Policy Dialogue <i>Short Term</i></p>			
<p>B. Promote, in the <u>short term</u>, an ongoing mechanism for dialogue with the APEC business community on ways to improve the APEC investment environment.</p>	<p>Organise a second Business Symposium and consider scope for further activities with business representatives interested in investment issues.</p> <p>Identify mechanisms for periodic discussions with business representatives in individual member economies.</p> <p>Establish a consultative process with PBEC, ABAC, PECC, APB-Net and other relevant regional business organisations.</p>	<p>Symposium - completed; consideration of further activities - ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Establish individual grievance</p> <p>Establish business</p>
<p>C. Establish, in the <u>short term</u>, a dialogue process with the OECD and other international fora involved in global and regional investment issues.</p>	<ul style="list-style-type: none"> Request comments from these bodies on major APEC investment initiatives through inclusion of representatives of such organisations in APEC Business Symposia. <p>Identify the merits of a second business survey and, in cooperation with PECC and PBEC, define specific options for the survey framework.</p> <p>Invite other fora to participate in the second Business Symposium.</p> <p>Establish a policy dialogue process with other fora where appropriate.</p>	<p>Ongoing</p> <p>Mid 1997</p> <p>Completed</p> <p>1997</p>	<p>Contribu business :</p> <p>Report on NAFTA, appropriate Participa</p>

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			non-mem Undertak Asia/Pac:	
D.	Undertake an evaluation of the role of investment liberalisation in economic development in the Asia/Pacific region:	Continue the dialogue on facilitation, cooperation and liberalisation, with a view to improving understanding of the implications of the non-binding investment principles. Define collective review mechanisms for individual action plans. Review the Economic Committee's work (and other relevant work) on the impact of investment liberalisation on growth in the region with a view to identifying possible regional policy implications. Develop and define an agenda and advance a policy dialogue.	Ongoing In accordance with guidance from SOM Mid 1998 1997-98	Prepare p investme Continuo the light Principle agreemer investme Report e policies a Participa Consente paper on growth ir Report on SMEs hav Southeas special cl removal o enterprise Propose t IEG on tl bilateral :
<i>Medium Term</i>				
E.	Study, in the <u>medium term</u> , possible common elements between existing subregional arrangements relevant to investment.	Review existing studies on the investment provisions of current subregional arrangements. Consider further study of possible relationships between these provisions in the future	1998 - 2000 2001-2010	
F.	Refine, in the <u>medium term</u> , APEC's understanding of free and open investment	Assess evolving elements of global investment disciplines and policy debate with a view to reaching agreement on the end point objective for APEC investment liberalisation.	Medium term	Seek and discussio free and Analyse internatic PECC, A
<i>Long Term</i>				
G.	Assess, in the <u>long term</u> , the merits of developing an APEC wide discipline on investment in the light of APEC's own progress through the medium term as well as developments in other international fora.	To be determined in the light of progress with policy dialogue in the medium term.	Long term	
<i>Facilitation</i> <i>Short Term and Continuing</i>				
H.	Undertake practical facilitation initiatives: – progressively work	Review PECC's survey of impediments in APEC and, drawing on business and other advice, identify possible areas for improved practices.	1997	Establish about inv Review tl

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<p>towards reducing impediments to investment.</p>			<p>concerning improve</p>
<p>Cooperation</p>			
<p><i>Short Term</i></p>			
<p>I. Identify, in the <u>short term</u>, ongoing technical cooperation needs in the Asia/Pacific region and organise training programs which will assist APEC economies in fulfilling APEC investment objectives.</p>	<p>Identify target areas for technical cooperation including 'best practice' policy/administrative frameworks. Develop training programs for officials concerned with investment which could be funded under the Trade and Investment Liberalisation and Facilitation (TILF) Special Account or other vehicles on topics such as:</p> <ul style="list-style-type: none"> • improving the capacities of member economies for statistical reporting and data collection; • strategies to foster and maintain an enabling environment for investment in specific areas e.g. Small and Medium Enterprises (SME) development and industrial linkages; high tech industries and R & D activities; skill development of investment officials, including improved understandings of financial instruments for funding investment opportunities; and • organisational machinery, methodology and policies which most effectively promote investment. <p>Coordinate efforts with other relevant bodies involved in technical cooperation.</p> <ul style="list-style-type: none"> • IEG to consider initiating a dialogue with entities involved in technical cooperation 	<p>1997</p> <p>1997</p> <p>July 1997</p>	<p>Guide the cooperati establish and "best Call toge framewor Technica Strengthe impedim members Participa dialogu. to invest Be prepa members. "Admini: Liberalis: Analyse] cooperat</p>
<p>J. Define and implement, in the <u>short term</u>, the follow-on training to the Uruguay Round implementation seminars</p>			<p>Report re impleme training s Take par impleme Hold, an problems Uruguay</p>

CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE (5): STANDARDS AND CONFORMANCE

1. Status

The matrix format was agreed upon at the first Sub-Committee on Standards and Conformance (SCSC) meeting in February 1996. Initial reports (using the matrix format) of the 15 member-economies who had earlier submitted their contributions and special actions prior to the

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second SCSC meeting were presented in Cebu. As of 5 August, the SCSC Chair had received the submissions of all 18 member economies. In its meeting on 14 October 1996, the SCSC adopted the final version of the SCSC Collective Action Plans and endorsed the same to the CTI.

2. Comments

Collective Action Plans are highly promising as mechanisms for helping achieve APEC's goals of trade liberalization and expansion. Practically all economies have made commitments in support of their contributions and actions agreed for each SCSC objective (i.e., transparency of standards and conformity assessment requirements, alignment of mandatory and voluntary standards, mutual recognition in conformity assessment in regulated and voluntary sectors, and promotion of technical infrastructure development).

Collective and Special Actions would lead to mutual economic benefits due to transparent standards, simplified conformity assessment procedures, and technical cooperation and assistance programs.

3. APEC Deliverables

- 3.1 In 1996, undertake alignment of member economies' standards with international standards in the following priority areas: electrical and electronic appliances (airconditioner, television, refrigerator, radio and its parts, and video apparatus); food labelling; rubber gloves and condoms; and machinery by 2000/2005.
- 3.2 In 1996, completion of an APEC Guide on Alignment of member economies' standards with international standards.
- 3.3 From 1996, participation in standardization activities of international standardization bodies (ISO & IEC) in the following priority sectors: building and construction and hazardous area equipment.
- 3.4 In 1996, publication of the Report on Case Studies on Alignment with International Standards.
- 3.5 In 1996, completion of an Umbrella Arrangement for mutual recognition of conformity assessment of Foods and Food Products.
- 3.6 In 1996, completion of an Arrangement for the Exchange of Information on Toy Safety.
- 3.7 From 1996, consideration of additional priority areas for Mutual Recognition Arrangements in the regulated sector, initially on the following: building materials including cement; electrical and electronic equipment (safety); electromagnetic compatibility; heating and cooling equipment; medical devices, particularly, but not restricted to, devices of plastic and rubber; and pressure vessels.
- 3.8 From 1996, establishment of and participation in a network of Mutual Recognition Arrangements in voluntary sectors.
- 3.9 In 1996, adoption of a Mid-term Technical Infrastructure Development Program (1996-2000).

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- 3.10 In 1996, an APEC Seminar on Bulk Pharmaceuticals in Vancouver, Canada (January), an APEC Seminar on WTO TBT/SPS Agreements in Manila (May), an APEC Seminar on Electromagnetic Compatibility in Singapore (August) and the First APEC Conference on Standards and Conformance in Manila (October).
- 3.11 In 1997, conduct of Survey on Technical Infrastructure Development for Measurement Standards, Laboratory Management and Accreditation; Inspection Bodies, Quality System and Certification Bodies Accreditation.
- 3.12 From 1997, implementation of Partners for Progress (PFP) project on standards and conformity assessment schemes.
- 3.13 By 1997, conduct of a Survey on Transparency and Access to member economies' standards and conformity assessment requirements.
- 3.14 In 1997, APEC Seminar on Environmental Management Standards.

**SCSC SUMMARY MATRIX REPORT
OSAKA ACTION AGENDA (OAA) COLLECTIVE ACTIONS
STANDARDS AND CONFORMANCE**

OAA Objectives	Actions	Timeframe
1. Alignment		
<ul style="list-style-type: none"> • APEC economies will align their mandatory and voluntary standards with international standards. 	<ul style="list-style-type: none"> • Collective Actions: <ul style="list-style-type: none"> -- Member economies agreed on an APEC Guide on Alignment of member economies' standards with international standards. -- Member economies will undertake alignment work in the following priority areas: electrical and electronic appliances (airconditioner, television, refrigerator, radio and its parts, and video apparatus); food labelling; rubber gloves and condoms; and machinery. -- Member economies agreed to actively participate in the standardization activities of international standardization bodies (ISO & IEC) in the following 	<p>1996</p> <p>1996-2000/2005</p> <p>from 1996</p>

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	<p>priority sectors: building and construction and hazardous area equipment.</p> <p>-- Member economies participated in APEC seminars on WTO-TBT/SPS Agreements, Electromagnetic Compatibility (EMC), and Bulk Pharmaceuticals; and agreed to support and participate in a seminar on Environmental Management Standards.</p> <ul style="list-style-type: none"> • Special Actions: <ul style="list-style-type: none"> -- Member economies will align their mandatory and voluntary standards outside the priority areas. 	<p>1996-1997</p> <p>by 2010/2020</p>
<ul style="list-style-type: none"> • APEC economies will conduct a comprehensive review of progress on alignment with international standards. 	<ul style="list-style-type: none"> • Collective actions: <ul style="list-style-type: none"> -- Member economies agreed to conduct periodic reviews of their alignment work. 	<p>2000 and 2005</p>

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OAA Objectives	Actions	Timeframe
<p>2. Mutual recognition of conformity assessment</p>		
<ul style="list-style-type: none"> • Achieve mutual recognition among APEC economies of conformity assessment in regulated and voluntary sectors. 	<ul style="list-style-type: none"> • Collective action (Regulated sector): <ul style="list-style-type: none"> -- Member economies agreed on an Umbrella Arrangement for mutual recognition of conformity assessment on Food and Food Products and an Arrangement for Exchange of Information on Toy Safety. -- Member economies to develop bilateral, multi-sectoral, and plurilateral mutual recognition arrangements. • -- Member economies agreed to consider six additional priority areas for MRA in the regulated sector: building materials including cement; electrical and electronic equipment(safety); electromagnetic compatibility; heating and cooling equipment; medical devices, particularly, but not restricted to, devices of plastic and rubber; and pressure vessels. • Collective action (Voluntary sector): <ul style="list-style-type: none"> -- Member economies to enter into different mutual recognition arrangements (bilateral and multilateral) in cooperation with Specialist Regional Bodies 	<p>1996</p> <p>1996-1997</p> <p>1996-2010</p>
<p>3. Technical infrastructure development</p>		
<ul style="list-style-type: none"> • Promote cooperation for technical infrastructure development to facilitate broad participation in mutual recognition arrangements in both regulated and voluntary sectors. 	<p>Collective actions:</p> <ul style="list-style-type: none"> -- A Mid-Term Technical Infrastructure Development Program was adopted. -- Member economies will identify specific requirements and/or assistance and/or activities in the areas of metrology and 	<p>1996</p> <p>1997-2010</p>

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	measurement standards, testing/calibration, laboratory accreditation, accreditation of quality system certification bodies, quality system certification, and standards writing.
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OAA Objectives	Actions	Timeframe
3. Technical infrastructure development		
continued	-- Member economies agreed to strengthen participation in Specialist Regional Bodies activities. Member economies agreed to support and actively participate in APEC Conferences on Standards and Conformance.	from 1996
	-- Member economies are willing to provide assistance for the improvement of other economies' technical infrastructure.	from 1996
	-- Member economies agreed to conduct reviews of the mid-term technical infrastructure development program implementation.	medium to long-term
4. Transparency		
<ul style="list-style-type: none"> Ensure the transparency of the standards and conformity assessment of APEC economies. 	Collective actions: -- Member economies agreed to respond to the transparency survey. After an evaluation, recommendations will be prepared to ensure transparency of standards and conformance.	1996 - 1997
	-- Member economies agreed to consider strengthening database and information network systems with regard to standards and conformance.	1996 - 1997

CONVENOR'S REPORT ON COLLECTIVE ACTIONS

OSAKA ACTION AGENDA ISSUE AREA (6): CUSTOMS PROCEDURES

Status: The matrix format which was submitted by the Sub-Committee on Customs Procedures (SCCP) on its collective action plans to the Committee on Trade and Investment (CTI) prior to the adoption of the CTI format last July 1996 has been reformatted to conform to the CTI Reporting Format. The matrix format contains the implementation schedules of each common collective action plan, the target date or milestone, legal framework, infrastructure, human resource development and technical assistance.

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Comments: The Collective Action Plan (CAP) is based on the objectives of the Osaka Action Agenda to simplify and harmonize customs procedures and to facilitate trade. The CAP is in accordance with the guiding principles of the SCCP which are: Facilitation, Accountability, Consistency and Transparency. The action involves major activities and issues that need to be addressed by each economy.

The major activities would involve the preparation of a framework of Technical Assistance and Human Resource Development to be assigned volunteer coordinators and co-coordinators for each collective action plan. These coordinators will prepare for the actual delivery of assistance (expert mission, training seminars and workshops and providing information, among others) by identifying offers of assistance, coordinating efforts with other organizations, finalizing the assistance programs and scheduling the human resources development activities.

Funding for these activities will come from both the APEC Central Fund, TILF and from SCCP members and possibly from other international organizations.

APEC-SCCP Deliverables:

- In 1996, harmonization of the tariff nomenclature among APEC members up to at least the sixth-digit level by adoption of the 1996 version of the WCO harmonized system.
- In 1996, holding of the 4th APEC Customs-Industry International Assembly that will provide a venue for direct dialogue and periodic consultation between Customs and the private sector via symposium and exhibition.
- In 1996, a seminar in Singapore (August) on computer application system was successfully concluded.
- In 1996, a seminar in China (September) on Risk Management.
- In 1997, introduction of a comprehensive technical assistance program to enable APEC members to conform to the provisions of the WTO Customs Valuation Agreement by 2000.
- By 1998, Public Availability of information would be in place.
- By 1999, computerization of APEC Customs Procedures via EDIFACT.

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- By 2000, introduction throughout the APEC region of advance tariff classification rulings.

**Summary of SCCP Matrix Report
(Osaka Action Agenda) Collective Action Customs Procedures**

<u>OAA Objectives</u>	<u>ACTION</u>	<u>Time Frame</u>
<p>Simplification and Harmonization of Customs Procedures thru:</p> <p>I. Facilitation</p> <p>APEC economies will consider synchronization of systems and procedures.</p> <p>1. Public availability of information.</p> <p>An effective information dissemination program will improve compliance and will help remove impediments to legitimate trade, thereby reducing business costs and facilitating trade.</p>	<p>Consultation with the private sector involved in the process.</p> <p>Status: Questionnaire will be distributed to all SCCP members seeking detailed information pertaining to information dissemination instrument already in place. Based on the questionnaire responses, a handbook will be prepared.</p>	<p>1998</p>
<p>2. UN/EDIFACT</p> <p>Alignment with international standards used in electronic communication, in particular, electronic commerce and EDI.</p>	<p>It will be part of management strategy to change traditional business practice.</p> <p>Status: The draft of the Technical Assistance and Human Resource Development Program Funding Proposal was circulated to member economies for comments. The proposal has been discussed and reviewed during the Computerization Seminar in Singapore.</p>	<p>1999</p>

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	Status: On-going	
3. Temporary Importation		2000
II. Accountability Implementing Clear Appeals Provision	Establishment of a Clear Appeals Procedure. Most economies have already established some form of appeals procedure. Status: On-going.	2000
III. Consistency 1. Alignment with WTO Valuation Agreement	Methods of valuation and related provisions outlined in the WTO Valuation Code must be reflected in the national legislation of member economies. Status: The Valuation Funding Proposal which will operationalize the action implementation plan has been submitted to BAC last 06-08 August, 1996. It will be subject to final review and approval during the special session of the BAC on 15 October, 1996.	2000
2. Adoption of the Kyoto Convention	The action plan involves adopting or abiding by the principles of the Kyoto Convention and assisting the WCO in its revision of the Kyoto Convention. Status: Implementation will commence once the WTO has completed its comprehensive review of the Convention and its annexes.	1998
3. Adoption of the Harmonized System (HS) Convention	Full implementation of the HS encompasses many tasks such as accession to the HS	1996

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Convention; translation to intended official language; conversion from the old tariff or statistical nomenclature; organizational changes; changes to accounting and other arithmetic data processing changes; the passage or amendment or legislation; international negotiation; training and eventual implementation of the system.

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	<p>Status: The Technical Assistance and Human Resource Development Program Funding Proposal is being developed. This will be distributed for review in late August and the final version is intended to be finished for submission to SCCP in October, 1996.</p>	
<p>IV. Transparency</p>		
<p>1. Implementation of an advance classification system.</p> <p>An efficient advance classification ruling system provides assurance to importers enabling them to make sound business decisions; facilitates international trade by ensuring certainty and predictability and should reduce the number of appeals or disputes of classification of goods after importation.</p>	<p>Establishing the roles, procedures and parameters pertaining to an advance classification system in legislation to protect the customs and the importing community.</p> <p>Status: a project design on the methodology, linkages and dissemination of project output is being prepared.</p>	<p>2000</p>
<p>2. Implementation of Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)</p> <p>IPR holders have the right to adequate protection of their rights and expect that measures and procedures be established to enforce protection which will not become barriers to legitimate trade.</p>	<p>Major activities could address establishing the border enforcement of measures of the TRIPS Agreement.</p> <p>Status: The proposal to implement the activity is being prepared.</p>	<p>2000</p>

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**OSAKA ACTION AGENDA ISSUE AREA (7):
INTELLECTUAL PROPERTY RIGHTS**

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Status

The matrix format was endorsed at the Cebu CTI in May, together with the Initial Thoughts (explanatory notes for the format) and the 1996-7 Work Plan (detailed plan for the implementation of the Collective Actions with time frame). The matrix report was completed and confirmed at the third session of the IPR Get-Together in Tokyo on 26-27 August.

Comments

Each Collective Action contains First, Second and Third Steps with different time frame, which enable each specific activity to be conducted in a timely manner.

The implementation of the Collective Actions has already commenced under the initiative of the designated lead economy in each of the seven items of the Collective Actions.

APEC Deliverables

In August 1996, a Contact Point List was finalized, and will be put on the Internet Home Page of APEC Secretariat in January 1997. **(OAA item (c))**

In 1996 and 97, various workshops and symposia, including the APEC Industrial Property Rights Symposium in Tokyo (August 1996), have been scheduled. **(OAA item (a))**

In 1996, a Survey of domestic IPR legislation will be completed. **(OAA item (b))**

In 1996, a study of the situation of the trademark system of each economy will be conducted for the purpose of considering how the application of trademark registration in multiple APEC economies can be facilitated. **(OAA item (e))**

In 1997, exchange of information on current practice concerning well-known trademarks will be conducted in order to pursue a comparative study and to explore ways in which the protection of well-known marks can be further enhanced through the region. **(OAA item (d))**

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In 1997, a survey of enforcement system will be completed, and issues relating to guiding principle on enforcement will be considered. **(OAA item (f))**

In 1996 and 97, there is to be an exchange of information regarding the status of each member economy's implementation of TRIPS followed by the identification of requests for and offers of technical assistance. **(OAA item (g))**

In 1997, the first seminar of the PFP (Partners For Progress) Project on "Industrial Property Rights" will be held.

Collective Actions 7 (Intellectual Property Rights) ---Summary Matrix of 18 member economies'---

Items

Summary of Member economies' actions

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<p>a. Deepen the dialogue on intellectual property policy among APEC economies</p> <p>First step: Hold/participate in seminars and symposia on intellectual property rights.</p> <p>Second step: Deepen the dialogue on mutual interest in particular the implementation of the Collective Actions, through working-level meetings as well as seminars and symposia held on a regular basis.</p> <p>Third step: Hold/participate in working-level/ministerial meetings on intellectual property rights policies.</p>	<p>Lead Economy for 1996-97 : Convenor</p> <p>First step: Member economies will hold/participate in seminars and symposia on intellectual property rights in the following areas: <APEC> APEC Industrial Property Rights Symposium held by APEC/PFP project held by Japan and Thailand (Feb 1996, Bangkok) <WIPO and WTO> WIPO Permanent Committee for Development Cooperation (June 1996, Geneva), WTO/TRIPS Seminar (Sep 1996, Geneva), WIPO Regional Seminar by the IIPTI held by Korea (Oct 1996, Seoul), Asia-Pacific International Seminar on Copyright and Related Rights held by Japan (Nov 1996, Thailand) WIPO Asian Regional Round Table (Jan 1997, Singapore), WIPO Asian Regional Symposium (Mar 1997, Vietnam), International Seminar on Folklore held by Thailand (Oct 1996, Bangkok) <Asia-Pacific region> Group Training on Administration of Industrial Property Rights held by Japan (Nov 1996, Thailand) The Developing Asia Forum on Intellectual Property Rights held by Japan (Nov 1996, Thailand) IPR Training Course hosted by the IIPTI under KIPRO held by Japan (Nov 1996, Thailand) a consultation Latin American meeting as to copyright held by Chile (Nov 1996, Santiago) a Training Program on Copyright held by Japan (Nov 1996, Thailand) Symposium on Intellectual Property Rights (Jan 1997, Japan) ASEAN/JAPAN Symposium on Copyright held by Japan (Jan 1997, Japan) JAPAN-ASEAN Symposium on Intellectual Property Rights held by Indonesia (Jan 1997, Indonesia)</p> <p>Second step: All Member economies will deepen the dialogue on mutual interest in particular the implementation of the Collective Actions, through working-level meetings as well as seminars and symposia held on a regular basis.</p> <p>Third step: All Member economies will hold/participate in working-level/ministerial meetings on intellectual property rights policies.</p>
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<p>b. Survey the current status of intellectual property rights protection in each APEC economy including the related statutes and corresponding jurisprudence, administrative guidelines and activities of related organizations</p> <p>First step: Specify what should be surveyed in regard to laws and regulations and submit this information to the collator economy by the deadline.</p> <p>Second step: Distribute the collated information to member economies. Extend the coverage of the survey to corresponding jurisprudence, administrative guidelines, activities of related organizations, and others.</p> <p>Third step: Update the information on a regular basis and consider providing it to the private sector.</p>	<p>Lead Economy for 1996-97: Australia</p> <p>First step: All Member economies specified what should be surveyed and submitted this information to Australia by the deadline.</p> <p>Second step: Australia will collate information and distribute the collated information to the APEC Secretariat (by the end of Aug 1996) to conduct a survey of related statutes and corresponding administrative guidelines and activities of related organizations. (First half of 1996) All Member economies will consider the coverage of the survey in the Action Agenda. (1997)</p> <p>Third step: All Member economies will update the information on providing it to the private sector. Australia will request the APEC Secretariat to remind member economies to update information.</p>
<p>c. Develop a contact point list of public and business/private sector experts on intellectual property rights and a list of law enforcement officers, the latter list for the purpose of establishing a network to prevent cross-border flow of counterfeits</p> <p>First step: Complete each member economies' respective lists by the deadline and publish these, maintaining appropriate confidentiality in the case of the law enforcement officers list.</p> <p>Second step: Update the lists on a regular basis.</p> <p>Third step: Enlarge the coverage of the lists, where appropriate.</p>	<p>Lead Economy for 1996-97: Australia</p> <p>First step: All Member economies completed their respective lists maintaining appropriate confidentiality in the case of the law enforcement officers list (First half of 1996) The list will be disseminated on the APEC Home page Australia will encourage members to distribute the list</p> <p>Second step: All Member economies will update the lists on a regular basis. Australia will request the APEC Secretariat to remind member economies to update lists.</p> <p>Third step: Australia, in conjunction with other member economies will consider the effectiveness of the list, and consider the necessity for enlarging the coverage of the list. Australia will make appropriate proposals. (Second half of 1996) All Member economies will enlarge the coverage of the lists. (Second half of 1997)</p>

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<p>d. Exchange information on well-known trademarks as a first step in examining the possibility of establishing an APEC-wide trademark system</p> <p>First step: Exchange information on current practices concerning protection of well-known marks, including ongoing developments in other international fora, to understand better how well-known marks are protected in the region.</p> <p>Second step: Conduct comparative studies, and explore ways in which the protection of well-known marks can be further enhanced through the region.</p> <p>Third step: Explore the possibility of an APEC-wide well-known mark directory, consistent with member economies' legal systems, and an APEC-wide trademark system.</p>	<p>Lead Economy for 1996-97: Thailand</p> <p>First step: All Member economies will exchange information on protection of well-known marks, including ongoing developments, to understand better how well-known marks are protected in the region. (First half of 1996 to first half of 1997) Thailand will distribute the composite paper to each member economy on current practices. (First half of 1997)</p> <p>Second step: All member economies will consider the possibility of conducting comparative study. All Member economies explore ways in which the protection of well-known marks can be further enhanced through the region. (From the second half of 1997) Thailand will provide an update on the ASEAN work on trademarks.</p> <p>Third step: All Member economies will explore the possibility of a directory, consistent with member economies' legal systems. Thailand will hold an APEC forum.</p>
<p>e. Exchange information on current intellectual property rights administrative systems with a view to simplifying and standardizing administrative systems throughout the region</p> <p>First step: Identify issues of concern, submit suggestions as to possible ways in which administrative systems can be simplified and standardized and provide information on member economies' experiences in managing their intellectual property rights administrative systems.</p> <p>Second step: Develop the discussions.</p> <p>Third step: Explore the possibility of simplification and standardization of their administrative systems with a view to reducing unnecessary burdens on member's respective systems and rights owners.</p>	<p>Lead Economy for 1996-97: the United States of America</p> <p>First step: All Member economies will identify issues of concern, ways in which administrative systems can be simplified and standardized and provide information on member economies' experiences in managing their intellectual property rights administrative systems. The U.S. circulated a proposal on the development of trademark registration in multiple APEC economies and guidelines for the submission of proposals. (Aug 1996) Information regarding trademark application systems developed by the U.S. (by 1 Dec 1996), and a revised proposal. (Get-Together, 1997)</p> <p>Second step: All Member economies will develop the discussions.</p> <p>Third step: All Member economies will explore the possibility of simplification and standardization of their administrative systems with a view to reducing unnecessary burdens on member's respective systems and rights owners.</p>

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<p>f. Study measures, including development of principles, for the effective enforcement of intellectual property rights</p> <p>First step: Exchange views on the current status, including statistics if available and appropriate, on activities of member economies and on future plans concerning enforcement.</p> <p>Second step: Conduct studies, including case studies.</p> <p>Third step: Develop guiding principles on enforcement.</p>	<p>Lead Economy for 1996-97: Mexico</p> <p>First step: Mexico will circulate a proposal format to exchange in concerning enforcement of IPR and statistics. The for beginning of 1997) All Member economies will exchange views on the cur available and appropriate, on activities of member eco concerning enforcement. (First half of 1997)</p> <p>Second step: All Member economies will conduct studies, including 1997)</p> <p>Third step: All Member economies will develop guiding principles 1997 to first half of 1998) Mexico will submit suggestions, including the develop enforcement.</p>
<p>g. Implement fully the TRIPS Agreement no later than January 1, 2000 and examine ways to facilitate technical cooperation to this end</p> <p>First-to-Second step: Present the way in which member economies have already achieved implementation of the standards established in the TRIPS Agreement in their national laws and regulations or present plans for modifying their national laws and regulations to implement these standards. Non-WTO member economies may also present their plans on how they will implement TRIPS levels of protection. Present offers and requests of cooperation in the various fields and develop bilateral/multilateral technical cooperation projects. Coordinate activities with those in other international fora and link requests and offers accordingly</p> <p>Third step: Review information exchanges in order to review progress toward full TRIPS implementation and examine the possibility to improve further the intellectual property systems after implementation of the TRIPS Agreement</p>	<p>Lead Economy for 1996-97: Convenor: <i>provisionary</i></p> <p>First-to-Second step: WTO member economies will present the way in which achieved implementation of the standards established national laws and regulations or present plans for mo regulations to implement these standards. Non-WTO their plans on how they will implement TRIPS levels All Member economies will present offers and request and develop bilateral/multilateral technical cooperation All Member economies will coordinate activities with link requests and offers accordingly. All member economies will submit information reques economy. (by the end of 1996) Australia, Brunei Darussalam, Canada, Chile, Japan, Philippines, Chinese Taipei and Thailand will submit Survey. (Second half of 1996)</p> <p>Third step: All Member economies will review information exchar toward full TRIPS implementation and examine the p intellectual property systems after implementation of</p>

CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (8): COMPETITION POLICY

Status

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The matrix format and content for the competition policy Collective Action Plan (CAP) was agreed at the CTI's August meeting in Davao, following discussion and agreement at the Competition Policy and Deregulation workshop 17-18 August.

Comments

Competition policy is a relatively new and complex work area for APEC, consequently member's views on how exactly to achieve the objectives of the Osaka Action Agenda on competition policy are still developing.

The Collective Actions in the competition policy CAP reflect the collective actions contained in the Osaka Action Agenda. A further set of actions are defined which set out the steps to implement these actions. Timeframes are expressed generally into short term, long term, and ongoing actions. The main focus of the short term and ongoing objectives is to promote information sharing, dialogue and study, and increase the transparency of existing competition policies. It is recognised that these actions are important first steps in building a common understanding of competition policy within APEC. Nearly all actions defined in the matrix are collective, in the sense that the objectives can only be achieved collectively, or are dependant on information gathering processes that are still being designed. Given that there were so few individual actions it was agreed that it would be unnecessary for each individual economy to submit individual responses to the CAP.

Where longer term objectives have been defined, steps to implement these will be considered as policy dialogue develops.

APEC Deliverables

- At the CTI it was agreed that a further APEC workshop on competition policy and deregulation should be held during 1997 and New Zealand, as convenor, has agreed to prepare a proposal on the content and timing of the next workshop for consideration by the CTI at its first meeting in 1997.
- Japan's APEC/ Partners for Progress proposal for Technical Assistance Seminars on Competition Policy has been agreed to, and will begin in 1997.
- Chinese Taipei will present a proposal for the development of a comprehensive APEC competition policy and law data base to the first meeting of the CTI in January.

SUMMARY OF APEC MEMBER STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Competition Policy

COLLECTIVE ACTION	STEPS TO IMPLEMENT	
(a) Gather information and promote dialogue on and study starting from 1996:	A. Collective action: Continue policy dialogue, information exchange and study on competition	

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

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<p>i) The objectives, necessity, role and operation of each APEC economy's competition policy and/or laws and administrative procedures, thereby establishing a database on competition policy;</p> <p>ii) Competition policy issues that impact on trade and investment flows in the Asia-Pacific region;</p> <p>iii) Areas for technical assistance and the modalities thereof, including exchange and training programmes for officials in charge of competition policy, taking into account the availability resources; and</p> <p>iv) The interrelationship between competition policy and/or laws and other policies related to trade and investment.</p>	<p>policy, competition laws and their enforcement and their interrelationship with other policies related to trade and investment, including through further workshops if members so decide.</p> <p>B. Individual economies: To provide further information on their competition policies, competition laws and their enforcement, thereby enhancing transparency and contributing to the establishment of an APEC database competition policy.</p> <p>C. Following completion of the technical assistance survey, individual economies to seek technical assistance and/or consider providing training programmes with a view to sharing their experience operating competition policies and laws with other</p>
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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Rules of Origin

COLLECTIVE ACTION	STEPS TO IMPLEMENT
b) Deepen competition policy dialogue between APEC economies and relevant international organisations.	A. Collective action: maintain dialogue with ofl international organisations considering competition policy and law issues.
c) Continue to develop understanding in the APEC business community of competition policy and/or laws and administrative procedures.	A. Collective action: Individual economies to further develop dialogue with the business community on competition policy and/or laws and administrative procedures.
d) Encourage cooperation among the competition authorities of APEC economies with regard to information exchange, notification and consultation.	A. Collective action: consider further actions for promoting cooperation among competition authorities. B. Individual economies to list and update contact points of competition authorities no later than 1 January 1997 with a view to information exchange consultation and communication where deemed necessary.
e) Contribute to the use of trade and competition laws, policies and measures that promote free and open trade, investment and competition.	A. Collective action to be considered as policy dialogue develops.
f) Consider developing non-binding principles on competition policy and/or laws in APEC.	A. Collective action to be considered as policy dialogue develops.

CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (9) :
GOVERNMENT PROCUREMENT

Status

Format for the Matrix Report, which followed closely the GPEG's Action Plan, was agreed upon at the GPEG's meeting held on 19 May 1996 in Cebu. Since then, 16 Members (Australia, Canada, Chile, China, Hong Kong, Indonesia, Japan, Korea, Malaysia, Mexico, New Zealand, Philippines, Singapore, Chinese Taipei, Thailand, and the United States) have submitted matrix reports which have been despatched to Members for information.

Comments

The Government Procurement Experts Group (GPEG) began implementation of its Action Plan, approved in October 1995, with initial focus on transparency and educational aspects of government procurement systems.

On transparency, a questionnaire survey exercise on Members' GP systems and publication arrangements for GP information has been completed. Members are examining a draft summary on

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Rules of Origin

the information collected prepared by the Shepherd. Possible means of publishing the information collected has been considered. A number of Members have also established their respective GP Homepages on the internet and set up linkages with the APEC Secretariat's GP Home Page to facilitate easy access by the public.

On the educational aspect, Members have endorsed the general approach of organizing seminars and training programs. Members participated actively in the first seminar on Existing GP Agreements held in Manila on 15 October 1996. Another seminar on Remedy System and Bid Challenge Procedures will be held in Taipei in early 1997. Separately, a proposal has been approved using APEC TILF Special Account to support a training course on GP to be held in China in mid-1997.

APEC Deliverables

- In 1996, development and distribution to APEC Members of a list of GP contacts
- In 1996, establishment of an APEC GP Homepage on the Internet with linkages to the GP Homepages of individual Members where available
- In 1996, an APEC Seminar on GP Agreements convened in Manila (October)
- In early 1997, completion of a survey on the GP systems of APEC members and arrangements to publish APEC information on GP
- In 1997, an APEC Seminar on GP Bid Challenges Procedures (Chinese Taipei)
- In mid 1997, an APEC training course on GP (China)

Osaka Action Agenda Collective Actions : (9) Government Procurement Summary of Members' Positions (as at 24 September 1996)

Time-frame	Action	Members' Action &
<i>Osaka Action Agenda Objectives :</i>		
(a) <i>Develop a common understanding on government procurement policies and systems, as well as on each APEC economy</i>		
(b) and <i>liberalisation of government procurement markets throughout the Asia-Pacific region in accordance with the principles of the</i>		
<i>Bogor Declaration, contributing in the process to the evolution of work on GP in other multilateral fora</i>		
I. Short- term (1996)	1.1 (a) Exchange information through questionnaire surveys on (i) existing GP systems, and (ii) publication of GP information (b) Prepare a summary of the information collected	16 members have already responded to the questionnaire. The Chair's draft Summary Observation (AI Sum/GPEG/May19) was tabled at the fourth meeting, and after survey returns from all Members have been received, a list of contact points have been compiled and a list of contact points listed.
	(c) Establish contact points to facilitate on-going exchange of information	A list of contact points have been compiled and a list of contact points listed.
	1.2 Workshops, seminars, training courses on GP procedures, laws, regulations, regional / plurilateral /	The Chair's paper on GP seminars and training courses agreed at the fourth GPEG meeting. The GP

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<p>multilateral agreements</p> <p>1.3 (a) publish information on Members' GP systems</p>	<p>Agreements organised by the US, in conjunction with New Zealand, will be held in October 1996. Another meeting with Chinese Taipei on Remedy System and Bid () will be held in early 1997. China proposes another meeting in mid 1997, funding for which is being considered. The Chair's paper on the possible arrangements is being circulated for Members' consideration.</p>
<p>(b) Encourage the establishment of an APEC GP information database, including information on procurement opportunities and the provision of a common entry point (such as a WWW Home Page) for participation by Members on a voluntary basis</p>	<p>An APEC GP Home Page has been set up under the APECsec.org.sg/gphome.htm address. 9 economies have created their own Home Pages and have set up linkages to the APEC GP Home Page. Others are in the process of creating their Home Pages with the APEC GP Home Page upon completion.</p>

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

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Time-frame	Action	Members' Action &
II. Medium-term (1997-2000)	2.1 To continue a policy dialogue and to continue to exchange information on GP in the APEC region	
	2.2 To draw up a set of non-binding GP principles, taking into account free trade principles already embraced by APEC, for adoption by Members on a voluntary basis	
III. Long-term (2010/2020)	3.1 To liberalise GP markets in the APEC region, contributing in the process to the evolution of work on GP in other multilateral fora	
	3.2 To continue a policy dialogue and to continue to exchange information on GP in the APEC region	

CONVENOR'S REPORT ON COLLECTIVE ACTIONS OSAKA ACTION AGENDA ISSUE AREA (10): DEREGULATION

Status

The matrix format and content for the deregulation Collective Action Plan (CAP) was agreed at the CTI's August meeting in Davao, following discussion and agreement at the Competition Policy and Deregulation workshop 17-18 August 1996.

Comments

SOM agreed at its 10-12 February 1996 meeting, that because of the linkages between deregulation and competition policy agendas, the work areas on competition policy and deregulation would be combined with New Zealand acting as convener economy.

The Collective Actions in the deregulation CAP reflect the collective actions contained in the Osaka Action Agenda. A further set of actions are defined which set out the steps to implement these actions. Timeframes are expressed generally into ongoing, short term and medium term. The main focus of the short term objectives is to promote information sharing and dialogue, and increase the transparency of existing regulatory regimes and regulatory reform processes. In doing so it is recognised that improving transparency and understanding of the APEC economies' regulatory regimes will assist in correcting distortions which impact on free and open trade and investment in the Asia-Pacific region. Nearly all actions defined in the matrix are collective, in the sense that the objectives can only be achieved collectively. Given that there were so few individual actions it was agreed that it would be unnecessary for each individual economy to submit individual responses to the CAP.

APEC Deliverables

- At the CTI it was agreed that a further APEC workshop on competition policy and deregulation should be held during 1997 and New Zealand, as convener, has agreed to prepare a proposal on the content and timing of the next workshop for consideration by the CTI at its first meeting in 1997.

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Rules of Origin

- An annual Deregulation Report will be published which details actions taken by APEC economies to deregulate their domestic regulatory regimes.

SUMMARY OF APEC MEMBER STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Deregulation

COLLECTIVE ACTION	STEPS TO IMPLEMENT	
(a) Publish annual reports detailing actions taken by APEC economies to deregulate their domestic regulatory regimes.	A. Individual economies to report on reforms to their domestic regulatory regimes and to update reports annual	
(b) Develop further actions taking into account the above reports, including: i) policy dialogue on APEC economies' experiences in regard to best practices in deregulation, including the use of individual case studies to assist in the design and implementation of deregulatory measures, and consideration of further options for a work programme which may include: • identification of common priority areas and sectors for deregulation; provision of technical assistance in designing and implementing deregulation measures; and examination of the possibility of establishing APEC guidelines on domestic regulation.	A. Collective action: take stock of information already gathered in APEC on regulatory regimes and regulatory reform with a view to identifying common experiences, an technical assistance needs and availability. B. Collective action: promote dialogue and understandi within APEC, through focused discussion, on the experiences of APEC economies and on the principles app to and best practices in, regulatory reform (drawing on the short term information gathering exercise). C. Collective action: following the Davao workshop on competition policy and deregulation, develop a common understanding of the interrelationships between competit policy, deregulation and trade liberalisation. D. Collective action: examine the possibility of establish <u>nonbinding</u> APEC guidelines on domestic deregulation.	

COLLECTIVE ACTION	STEPS TO IMPLEMENT	
ii) regular dialogue with the business community, including a possible symposium.	A. Collective action: individual economies to begin dialogue with domestic business interests. B. Collective action: examine <u>the possibility of convenin symposium of APEC economies on regula</u> C. Collective action: <u>obtain the views of the business se</u>	Deleted: which would include both government and private participants

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Rules of Origin

	<p>on regul CONVENOR'S REPORT ON COLLECTIVE ACTIONS</p> <p>OSAKA ACTION AGENDA ISSUE AREA (11): RULES OF ORIGIN</p> <p>Status</p> <p>The matrix format for rules of origin was agreed at Committee on Trade Investment's (CTI) May meeting in Cebu, following the submission of comments (both verbally at meetings, and through faxes) to the convenor, and revision of drafts. The matrix format was finalized in July through confirmations from members.</p> <p>Comments</p> <p>The matrix for rules of origin was based primarily on the Osaka Action Agenda. The CTI also agreed upon a new collective action calling for members to undertake an assessment of compliance with procedural obligations in the WTO Agreement on Rules of Origin including notification responsibilities. This action plan included to address APEC members' interest in ensuring the transparency of rules of origin.</p> <p>All members have submitted the steps they will take to implement the agreed collective actions including: (1) conducting and presenting in APEC assessments their compliance with procedural obligations and disciplines in the WTO Agreement on Rules of Origin; (2) participating actively in on-going negotiations to harmonize non-preferential rules of origin; (3) providing information on their preferential and non-preferential rules of origin; and (4) studying the implications of rules of origin on the free flow of trade and investment.</p> <p>APEC Deliverables</p>	
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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE ACTIONS

ISSUE: Rules of Origin

	<ul style="list-style-type: none"> • A seminar on ROO was held in the Philippines August 1996. The seminar provided opportunity for members to benefit from each others' experience and knowledge. • A two-volume compendium on ROO within AF will be completed in 1997. This compendium will be useful to the private sector in providing information on each economy's rules of origin both non-preferential and preferential. • In 1996, members have undertaken assessments of their compliance with procedural obligations in the WTO Agreement on Rules of Origin, including notification requirements. <p>17 October 1996 United States, Convenor atory reform through business organisations, including ABAC and PECC.</p>	
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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
(a) <i>Undertake an assessment of compliance with procedural obligations in the WTO Agreement on Rules of Origin, including notification responsibilities, and those disciplines applicable to non-preferential rules of origin (Part II, Article 2) and preferential rules of origin (Annex II).</i>	Members are conducting assessments of their compliance with procedural obligations in the WTO Agreement on Rules of Origin, including notification requirements. Several members have indicated that they are already in compliance with the procedural obligations in the Origin Agreement. It has been suggested that the results of the assessments be presented in the	
(b) Facilitate, complement and accelerate WTO/WCO work on harmonization of non-preferential rules of origin.	Members will continue to facilitate, complement, and accelerate work on harmonization of non-preferential rules of origin by actively participating in meetings of the WTO and WCO,	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
(b) continued	<p>discussing WTO/WCO harmonization work in APEC, submitting contribution papers to the WCO, and organizing consultations with domestic industries. The harmonization program is scheduled for completion in 1998.</p> <p>An APEC seminar on ROO was held in August 1996. This seminar provided an opportunity for members to benefit from each other's experience and to exchange views, including on the WCO/WTO harmonization program.</p>	
<p>(c) Study in due course the implication of rules of origin on the free flow of trade and investment, with a view to identifying both positive and negative aspects and effects of rules of origin related practices.</p> <p>(d) Gather information on APEC economies' respective rules of origin, both non-preferential and preferential, and operation thereof without duplicating WTO work in this area, exchange views and develop a compendium of rules of origin for the use of the business/private sector.</p>	<p>Members are prepared to participate in joint work to explore the trade and investment implications of rules of origin, taking into account views of business. The suggestion was made that the terms of reference and guidelines for conducting a study should be established. Members have submitted or will submit information for the development of an APEC compendium on ROO to be completed in 1997.</p>	

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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KEY

Collective actions in *italics*, agreed by CTI
Collective actions in roman, from Action Agenda.

NOTE: APEC members who are in the process of acceding to the WTO may participate in APEC implementation actions relating to the UR Agreement on Rules of Origin through voluntary steps taken to bring their rules of origin regimes into compliance with the Agreement.

**CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (12): DISPUTE MEDIATION**

Status:

The matrix report format was completed and accepted by the Dispute Mediation Experts' Group at the April 1996 meeting in Singapore. Based on the Singapore understanding, the matrix report was drafted and sent to APEC member economies by the Chair of the Experts Group shortly thereafter. APEC economies have submitted their completed reports to the Convenor. The Convenor will compile the information, submit requests for additional information where appropriate, and summarize the information by the next Dispute Mediation Experts' Group meeting. Information on arbitration, mediation, and conciliation services available in each APEC economy will be compiled with a view to its publication in a guidebook for dissemination to the private sector.

The Experts' Group agreed that seminars should be planned for 1997 on the WTO Dispute Settlement Understanding, as well as private-government and private-private dispute resolution. The Convenor circulated a letter asking member economies to submit proposals for seminars by October 15. At the next Experts' Group meeting, consensus will be sought on a seminar program for 1997.

With member economies' agreement, the next Experts' Group meeting will be held on the margins of SOM I in January 1997.

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Comments:

All submissions received to date indicate a strong willingness to continue to participate actively in work in this area. The steps to implement vary from member to member on specifics, for example whether a member has acceded or plans to accede to the ICSID or the New York Convention.

Publication of information on arbitration, mediation, and conciliation services available in each APEC economy would provide a high degree of transparency on the dispute mediation services available to the private sector in each APEC member economy and would be an important deliverable for 1997.

A program of seminars will enhance understanding in the APEC region of the mechanisms which can be used to address dispute mediation.

APEC Deliverables:

Short-Term (1997-2000):

- * Development and implementation of a program of seminars on the WTO Dispute Settlement Understanding, as well as private-government and private-private dispute resolution.
- * Publication of a guidebook on arbitration, mediation, and conciliation services in each APEC economy.

APEC MATRIX REPORT ON DISPUTE MEDIATION

MEMBER: DMEG CHAIR (COLLECTIVE ACTIONS)

ACTION	STEPS TO IMPLEMENT	TIMEFRAME
a. Regarding disputes between APEC economies: (i) promote dialogue and increased understanding, including exchange of views on any matter that may lead to a dispute, and	At the April 1996 meeting of the APEC Experts' Group in Singapore, Experts discussed options for a dispute mediation service, including in particular the use of the "Trade Policy Dialogue" of the Committee on Trade and	On-going

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<p>cooperatively examine on a voluntary basis disputes that arise, utilizing policy dialogue such as the "Trade Policy Dialogue" of the CTI</p> <p>(ii) give further consideration as to how the above Trade Policy Dialogue or similar functions of other fora may be used by APEC economies for the exchange of information, enhanced dialogue and mediation.</p>	<p>Investment. Experts recommended that the Experts' Group, under the Committee on Trade and Investment, should keep this issue under On-going review.</p> <p>The Singapore Experts' Group observed that careful consideration would need to be given to modalities that could be used in the Trade Policy Dialogue for the purposes of dispute mediation. Experts also discussed other ideas for government-to-government dispute mediation, such as the establishment and maintenance by the APEC Secretariat of a roster of qualified mediators. Experts agreed to request that Member economies submit specific suggestions on these issues.</p>	<p>Experts recommend that Member economies should submit specific suggestions well in advance of the next Experts' Group meeting.</p>
<p>(iii) examine the possible future evolution of procedures for the resolution of disputes as the APEC liberalization and facilitation process develops</p>	<p>Experts concluded that since the future evolution of procedures for the resolution of disputes in the APEC context is connected to commitments regarding trade and investment liberalization and facilitation in APEC, the Experts' Group, under the CTI, should keep this issue under On-going review.</p>	<p>On-going</p>

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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ACTION	STEPS TO IMPLEMENT	TIMEFRAME
<p>b. Regarding disputes between private parties, and between private parties and APEC economies:</p> <p>(i) provide CTI with a listing of arbitration, mediation, and conciliation services available to private entities or other APEC economies, including a description of any such service which might provide a useful model for private-to-government dispute resolution in the Asia-Pacific region, and make such information widely available to the business/private sector in the Asia-Pacific region</p>	<p>Member economies would submit the information required; the Chair would compile the information, request additional information where appropriate, and summarize the information received in a standardized format. Experts agreed that once the collation and analysis of this information is complete, it should be disseminated in a practical and accessible format useful to the business communities of the APEC region. Experts also agreed to request Member Economies to submit more detailed proposals on education and training.</p>	<p>Some Member economies have yet to submit the required information, with respect to some others, additional information may be necessary for the completion of a standardized summary. It is expected that the work of the Chair would be completed for consideration by Experts at their next meeting. Experts recommend that the means of dissemination should be considered at their next meeting. Proposals on education and training should be submitted well</p>
<p>(ii) provide CTI with comments regarding experiences with the above services.</p>		<p>in advance of the next meeting.</p>
<p>(iii) accede where appropriate by 1997 to international agreements for the settlement of disputes between governments and private entities such as the Convention on the Settlement of Investment Disputes between States and Nationals of Other</p>		

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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States.		
(iv) accede, where appropriate by 1997, to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention).		

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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ACTION	STEPS TO IMPLEMENT	TIMEFRAME
c. promote transparency on an APEC-wide basis, through, for example, publication of a guide book on arbitration, mediation, and conciliation services available in each APEC economy.	Experts considered other proposals to promote increased transparency, in including designating a central contact point within each APEC government for businesses engaged in trade and investment in that economy, encouraging arbitration or other forms of alternative dispute resolution similar to the initiatives undertaken by the NAFTA governments, the Office of the Trade and Investment Ombudsman in Japan, and the Pacific Business Forum proposal for similar offices in each Member economy. Experts also noted that regulatory reform in various member economies itself contributes to enhancing transparency. Subject to the views of the CTI, the Experts agreed to request that Member economies submit specific suggestions in this regard.	Experts recommend that the suggestions from Member economies be submitted well in advance of the next Experts' Group meeting. The Chair and the Secretariat are to consider the most efficient and cost-effective methods of dissemination of this information, including the possible use of electronic means, such as the Internet.
d. prepare a report on progress, with recommendations, by the end of 1996	The Report of the APEC Experts' Group on Dispute Mediation, which includes recommendations for the CTI, was completed on April 23, 1996.	The Chair of the Experts' Group will prepare a letter to the Chairman of the CTI, summarizing the recommendations of the Experts Group.
e. prepare proposals for seminars on the WTO as well as on private dispute mediation and settlement	The Chair sent a letter to all Member economies requesting concrete and specific proposals for training programmes on the WTO and private dispute mediation and	Experts recommend that Member economies provide their proposals in accordance with the timetable set out in the

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	settlement services, with a view to providing a consensus proposal to the CTI.	letter from the Chair.
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CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (13): MOBILITY OF BUSINESS PEOPLE

Status

The CTI approved the collective action matrix on the mobility of business people at its meeting in Cebu in May. The matrix report was circulated for final comment on 1 July. No comments have been received and the report should be considered approved.

Comments

The Collective Action Plan contains short-term, medium-term, longer-term and ongoing actions for implementing the collective action goals of the Osaka Action Agenda. Work in the short term is focused on an exchange of information on member economies' regulatory regimes relating to short-term business travel, based on a survey coordinated by the Convenor. Responses to the survey will provide a basis for a subsequent policy dialogue on the scope for cooperation aimed at streamlining and accelerating arrangements for the short-term travel of business people. Issues relating to temporary residency for business people will be addressed by the Committee in the medium to longer term. Importance is attached to private sector views on business mobility, reflecting the emphasis business communities have themselves given to the issue. Member economies have endorsed the need to establish and maintain a dialogue on mobility issues with their business communities. An initial priority is the publication of a handbook for business travellers, based on the short-term business travel survey, providing practical information on the short-term entry and visa arrangements of all member economies. Further consideration could be given to seeking input to CTI work on business mobility from APEC's business advisory bodies.

APEC Deliverables

By 1996, distribution to the business community of an APEC Business Travel Handbook providing practical information on the short-term entry and visa arrangements of all member economies.

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Australia
CTI Convenor on Business Mobility
9 August 1996

MOBILITY OF BUSINESS PEOPLE
REPORTING MATRIX ON COLLECTIVE ACTION
ALL MEMBER ECONOMIES

Collective Actions	Member's Action and Timing
<i>(a) Exchange information on regulatory regimes relating to the mobility of business people in the region</i>	
Short term: (i) survey members' regulations and requirements relating to short term entry for business people	Collective action: (i) Australia to coordinate survey (ii) Compendium of responses on Sections 1 and 2 to be produced for consideration at Davao CTI. Further revision of Section 3 for discussion at Davao. Member's action: Responses to Sections 1 and 2 to be provided by 30 June. Comments on Section 3 to Australia by 15 June for further revision.
Short term: (ii) publication of APEC handbook on short-term business travel requirements for distribution to the business community	Collective action: Australia to coordinate production of APEC Business Travel Handbook based on members' responses to survey (Sections 1 and 2). Draft/mock-up for consideration at October CTI Member's action: Distribution to business community (date)
Medium term: (iii) survey members' regulations and requirements relating to temporary residency of business people	Collective action: Develop survey (timing to be decided) Member's action: Contribute to survey (timing to be decided)

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
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Collective Actions	Member's Action and Timing
<p><i>(b) Examine the possibility of setting the scope for cooperation at a regional level aimed at streamlining and accelerating:</i></p> <p>Short term: (i) processing of visas for short-term travel</p>	<p>Collective action: (i) Discussion paper on issues/options for streamlining and accelerating processing of short-term business visas (November/December 1996). (ii) Review of issues/options and formulation of recommendations to SOM (January 1997)</p>
<p>Longer term (ii) arrangements for temporary residency for business people to engage in trade and investment</p>	<p>Collective action: (i) Discussion paper on issues/options for streamlining arrangements for temporary residency for business people (timing to be decided). (ii) Review of issues/options and formulation of recommendations to SOM (timing to be decided)</p>
<p>Ongoing <i>(c) Establish and maintain a dialogue on mobility issues with the business community</i></p>	<p>Collective action Invite business community views on mobility issues, including through ABAC.</p> <p>Member's action: Encourage feedback from users of Business Travel Handbook and business views on other mobility issues.</p>

**CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (14):
URUGUAY ROUND (UR) IMPLEMENTATION**

Status

The matrix format on UR implementation was agreed at the Committee on Trade Investment's (CTI) May meeting in Cebu, following the submission of comments (both verbally at meetings, and through faxes) to the US convenor, and revision of drafts. The matrix format was finalized in July through confirmations from members.

Comments

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The matrix for UR implementation was based on the Osaka Action Agenda and on the action plan developed by the CTI on this issue area.

Members have submitted the steps they will take to implement the agreed collective actions including: (1) active participation in multilateral and APEC fora to monitor the proper and effective implementation of UR commitments; (2) development of a system to match members' technical assistance needs in implementing the UR Agreements with targeted assistance; (3) consideration of follow-on UR implementation work; and (4) identification of provisions in UR Agreements the implementation of which will particularly advance common APEC goals.

APEC Deliverables

- Six UR implementation seminars have been held over the course of 1995 and 1996; (1) GATS (Chinese Taipei, March 1995); (2) Rules-based Agreements (Seoul, April 1995); (3) TRIPs (Sydney, May 1995); (4) Rules of Origin (Beijing, September 1995); (5) Agriculture (Mexico City, March 1996); and (6) SPS/TBT (Manila, May 1996). An implementation seminar on the WTO Antidumping Agreement is planned for December (PRC).

17 October 1996
United States, Convenor

COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)
(a) Utilize on an on-going basis, <i>and encourage participation in</i> , UR implementation seminars and other appropriate means to: <ul style="list-style-type: none"> (i) improve APEC economies' 	Members have participated in seven APEC implementation seminars over the course of 1995 and 1996. These events have enhanced members' understanding of the UR Agreements and focused on

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>understanding of provisions in the UR Agreements and obligations thereunder;</p> <p>(ii) identify operational problems encountered in implementation of the UR Agreements and areas in which APEC economies may require technical assistance; and</p> <p>(iii) explore cooperative efforts to provide such technical assistance in implementation.</p>	<p>implementation problems and solutions. Members are willing to consider participation in additional implementation seminars. Areas in which members have identified technical implementation needs include import licensing, pre-shipment inspection, TRIMs, the DSU, SPS, TBT, Rules of Origin, and Customs Valuation.</p>	

SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

ISSUE: Uruguay Round (UR) Implementation

COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
(a) (continued)	<p>Members are conducting seminars or engaging in technical assistance programs on UR implementation on a bilateral or plurilateral basis including on the TRIPs, Rules of Origin, and Antidumping Agreements.</p> <p>It has been suggested that APEC explore sending trade officials to the WTO Secretariat for practical training to improve APEC economies' understanding of provisions in the UR agreements and obligations thereunder.</p>	

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SUMMARY OF ALL APEC MEMBERS' STEPS TO IMPLEMENT COLLECTIVE
ACTIONS

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
(b) Consider implementation of suggestions for follow-on work from UR implementation seminars.	Members have already participated in the implementation of follow-on work suggestions generated in UR seminars and agreed in the CTI and its sub-groups, e.g., the suggestion from the seminar on the TRIPs Agreement to develop an IPR contacts list. Members will consider and discuss other suggestions for follow-on work.	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>(c) Undertake technical assistance based on discussion at UR seminars, including cooperative training projects targeted at prevalent implementation problems, to be undertaken in conjunction with the WTO Secretariat and other relevant international institutions.</p>	<p>Members will participate and are participating in projects, which involve the WTO and regional private and public institutions, and which are aimed at providing technical assistance to APEC members and to non-APEC WTO members on implementation of the UR Agreements. APEC members are already participating in technical assistance projects developed in CTI sub-groups and targeted toward implementation of UR Agreements, e.g., the TRIPs and Customs Valuation Agreements.</p>	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
(c) continued	<p>Members have suggested,</p> <ul style="list-style-type: none"> -- developing an overall framework on technical assistance including (1) analysis of needs; (2) identification of assistance offers; and (3) targeting of assistance projects; -- taking ^{and} taking stock of UR implementation technical assistance projects undertaken by CTI sub-groups. 	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>(d) <i>Decide whether to hold a follow-on series of UR implementation seminars.</i></p>	<p>Members will consider and discuss follow-on UR implementation seminars with a view to enhancing participation in the WTO built-in agenda and to maintaining the momentum for liberalization in APEC and the WTO. Members suggested that UR seminars be continued during the latter half of 1997 and include topics such as import licensing, pre-shipment inspection, the DSU, and TRIMs. It was recommended that an assessment of the results of the first round of seminars be conducted before holding more.</p>	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>(e) <i>Consider holding periodic seminars for business on steps planned to liberalize trade in the Asia-Pacific region as part of UR implementation.</i></p>	<p>Members will consider whether to hold periodic seminars with business on UR implementation. Members suggested holding one such seminar per year, or taking advantage of issue-specific APEC seminars involving business to discuss implementation of relevant UR Agreements. Members also indicated that they are already conducting ongoing exchanges with business on their UR implementation activity.</p>	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>(f) <i>Annually, review and provide for reporting to Ministers and business on progress made in APEC members' UR implementation, with particular attention to the relationship between such implementation and APEC's plans for liberalization. Such reporting should complement rather than duplicate on-going WTO work on implementation of UR Agreements.</i></p> <p>NOTE: <i>Reports should list contact points for additional information, and publication could take the form of annual updates to the APEC tariff database, with inclusion of updated customs and tariff regime information and other information related to UR implementation steps.</i></p>	<p>Members are prepared to contribute to an annual review to monitor progress on UR implementation, e.g., on tariff commitments. Different approaches were suggested for reporting to Leaders, Ministers, and business, e.g., members' updating their 1995 report on Deregulation and Liberalization Initiatives or the Secretariat using a standard format to compile members' implementation Members will provide annually updated tariffs, customs and other information to the APEC tariff database.</p>	

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COLLECTIVE ACTION	STEPS TO IMPLEMENT (Describe steps)	
<p>(g) <i>Identify provisions in UR Agreements that, when implemented, would have the most positive impact on furthering common APEC goals, e.g., infrastructure development, and identify approaches to assist members in implementing such provisions.</i></p>	<p>Members will participate in the identification of UR Agreements provisions the implementation of which will particularly advance common APEC goals. Members suggested developing a list of UR provisions that are especially relevant to APEC's work and identifying members' technical assistance needs on implementing such provisions. It was noted that some APEC collective actions already focus on where APEC and WTO</p>	

work are mutually supportive.

NOTE: APEC members who are in the process of acceding to the WTO may participate in APEC UR implementation actions through voluntary steps taken to liberalize their trade and investment regimes consistent with the UR Agreements.

NOTE: The CTI should consider how APEC's work on UR implementation can be fully coordinated with the WTO and reinforce the on-going implementation work in the WTO.

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KEY

Collective actions in *italics*, agreed by CTI.
Collective actions in roman, from Action Agenda.

**CONVENOR'S REPORT ON COLLECTIVE ACTIONS
OSAKA ACTION AGENDA ISSUE AREA (15):
INFORMATION GATHERING AND ANALYSIS**

Status

The Collective Actions Matrix on Information Gathering and Analysis provides an overview of information gathering and analytical work in APEC in support of work on trade and investment liberalization and facilitation. It identifies responsibility centres for the various projects and also expected timeframes for their completion. At present, all areas of work mandated in the Osaka Action Agenda under Chapter 15 have been addressed by specific projects. Additional projects may from time to time be added to those already underway at the initiative of individual APEC fora. The Lead Shepherds of APEC Working Groups, Chairs of other APEC fora, the APEC Business Advisory Council and APEC Study Centers have been invited to identify relevant contributions for inclusion in this report. Work has been progressed by a Small Group on Information Gathering and Analysis cooperatively organized by the CTI and EC. Responsibility for coordinating the work under Chapter 15 lies with the Economic Committee. Canada acts as CTI Convenor for Chapter 15 of Part 1 of the OAA.

Work in this area generates information directly required to implement Part 1 of the OAA and also analytical work that informs the ongoing trade and investment policy discussion within CTI.

The published work on the impacts of trade and investment liberalization also support the building of constituencies supporting trade and investment liberalization in member economies.

APEC Deliverables

Work underway under Chapter 15 will result in the following APEC deliverables (these items are also listed as deliverables under APEC's work on Economic and Technical Cooperation):

In 1996, activation of a Trade and Investment Data Database (TIDDB)

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In 1996, publication of the Economic Committee report *FDI and Market Framework Policies: Reducing Frictions in APEC Policies on Competition and Intellectual Property*

In 1997, publication of the Economic Committee report *Sub-regionalism's Significance and Impact on APEC*

In 1997, publication of the Economic Committee report *Impact of Investment Rule-Making and Liberalization*

In 1997, publication of the Economic Committee report *Impact of APEC Trade Liberalization*

In 1997, publication of the *1997 APEC Economic Outlook* which will include coverage on benefits of trade and investment liberalization.

INFORMATION GATHERING AND ANALYSIS

COLLECTIVE ACTION MATRIX

COLLECTIVE ACTIONS	FOLLOW-UP BY APEC FORA
(a) conduct surveys as necessary of trade and investment impediments	<p>CTI: compile measures recognized as non-tariff impediments affected by these impediments.</p> <p>CTI: study competition policy issues that impact on trade and in the Asia-Pacific region.</p> <p>EC: FDI and Market Framework Policies: analyze ways to r APEC Policies on Competition and Intellectual Property.</p> <p>Energy Working Group: identify institutional, regulator impediments that affect investment in electricity infrastructure.</p> <p>Fisheries Working Group: collect and analyze information barriers to trade, including tariff and non-tariff measures ; barriers</p> <p>Tourism Working Group: identify impediments to tourism gro</p>

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strategies that will improve tourism movements and investment
region.

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COLLECTIVE ACTIONS	FOLLOW-UP BY APEC FORA
<p>(b) review and analyze the impact of trade liberalization in the Asia-Pacific region</p>	<p>CTI : identify industries in which the progressive reduction tariff measures may have positive impact on trade and economic development in the Asia Pacific region or for which there is regional industry liberalization.</p> <p>CTI - Investment Experts Group : undertake an evaluation of investment liberalization in economic development in the Asia-Pacific region.</p> <p>EC : undertake research on the economic impact of trade liberalization using a computable general equilibrium model and qualitative analyses.</p> <p>EC: assess impacts of investment rule-makings and liberalization on different industries by case studies of member economies.</p> <p>SME Working Group: collect/gather outputs of completed studies from different economies concerned and analyze the impact of trade liberalization on SMEs.</p>
<p>(c) study and monitor the impact of sub-regional trade arrangements such as NAFTA, AFTA and ANZCERTA</p>	<p>CTI - study the implications of rules of origin on the free trade area.</p> <p>CTI - Investment Experts Group: study possible common elements of investment among the existing sub-regional arrangements.</p> <p>EC: undertake research on sub-regional trading arrangements, including regional arrangements.</p>

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COLLECTIVE ACTIONS	FOLLOW-UP BY APEC FORA
<p>(d) develop databases with regard to merchandise trade, trade in services and direct investment, and update these regularly</p>	<p>CTI - Investment Experts Group : improve the state of statistical data collection on the publication entitled, <i>Guide to the Investment in the APEC Member Economies, 3rd Edition</i>.</p> <p>CTI - Tariff Matrix : expand database trade.</p> <p>EC : update the database on Foreign Direct Investment.</p> <p>Energy Working Group: update and further develop the APE Base, with future issues to include special analysis of one economic activity as transportation.</p> <p>Energy Working Group: develop a comprehensive data base covering energy resources-related opportunities to provide an up-to-date assessment of members' mining and energy resource sectors to facilitate structural adjustment, definition of new trends, and investment in resource development and infrastructure.</p> <p>TIDWG : develop a Trade and Investment Data Database (TIDD) will include data on international merchandise trade, services trade and investment (Hardware & software)</p> <ul style="list-style-type: none"> - take on data management and system maintenance - compile and update merchandise trade data - improve statistical reporting and data collection on trade in services - manage training in data collection and compilation methods for investment

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COLLECTIVE ACTIONS	FOLLOW-UP BY APEC FORA
(e) adopt international standards for trade in services and international investment data such as those developed by the IMF.	TIDWG : Work towards improving the consistency of data latest international standards such as the IMF's fifth edition of the Balance of Payments Manual (BPM5) for compilation of data on international services investment.

**INFORMATION GATHERING AND ANALYSIS :
INFORMATION NEEDS & DIVISION OF RESPONSIBILITIES**

<u>Information Needs</u>	<u>Responsibility Center</u>	<u>Target Dates</u>
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<u>Information Needs</u>	<u>Responsibility Center</u>	<u>Target Dates</u>
Tariffs/Non-tariff Measures		
Develop the APEC Tariff Database and database network.	CTI/Tariff Database Task Force	1997
Identify industries in which the progressive reduction of tariffs and non-tariff measures may have a positive impact on trade and economic growth, or for which there is regional industry support for early liberalization.	CTI	1999
Incorporate information on non-tariff measures on the APEC Tariff database.	CTI/Tariff Database Task Force	1998
List measures recognized as non-tariff impediments and products affected by these impediments.	CTI	1998

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Investment		
Update the APEC publication, entitled <i>Guide to the Investment Regimes of the APEC Member Economies</i> .	CTI/IEG	1996 and onwards
Consider using Internet to disseminate information on changes to investment regimes.	CTI/IEG	1996
Improve statistical reporting and data collection on investment.	CTI/IEG and Trade and Investment Data Review Working Group	1997 and on-going

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<u>Information Needs</u>	<u>Responsibility Center</u>	<u>Target Dates</u>
Intellectual Property Rights		
Survey the status of intellectual property rights protection in each APEC member economy.	CTI/IPR-GT/EC	1996
Competition Policy		
Gather information and promote dialogue on, and study:		
- the objectives, necessity, role and operation of each APEC economy's competition policy and/or laws and administrative procedures;	CTI/NZ	From 1996
- competition policy issues that impact on trade and investment flows;	CTI/NZ	From 1996
- areas for technical assistance and the modalities thereof, including exchange and training programs for officials in charge of competition policy, taking into account the availability of resources; and	CTI/NZ	From 1996
- the inter-relationship between competition policy and/or laws and other policies related to trade and investment.	CTI/NZ	From 1996
Government Procurement		
Exchange information on existing government procurement regimes and on publication of government procurement information in APEC economies.	CTI/GPEG	1996/1997

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Encourage the establishment of an APEC GP information database, including information on procurement opportunities and the provision of a common entry point (such as a WWW Home Page) for participation by Members on a voluntary basis.	CTI/GPEG	1996 and on-going
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<u>Information Needs</u>	<u>Responsibility Center</u>	<u>Target Dates</u>
Rules of Origin		
Gather information on APEC members' respective rules of origin, both preferential and non-preferential, and operation thereof, exchange views and develop a compendium of rules of origin.	CTI/SCCP	1996
Study the implications of rules of origin on the free flow of trade and investment, with a view to identifying in the longer term, both positive and negative aspects and effects of rules of origin related practices.	CTI/US	1996 and on-going
Dispute Mediation		
Provide CTI with a listing of arbitration, mediation and conciliation services available to private entities of other APEC economies, including a description of any such service which might provide a useful model for private-to-government dispute resolution in the APEC region, and make such information widely available to the business/private sector.	CTI/DMEG	1996/1997
Promote transparency on an APEC-wide basis, through, for example, publication of a guide book on arbitration, mediation and conciliation services available in each APEC economy.	CTI/DMEG	1996/1997
Mobility of Business People		
Exchange information on regulatory regimes	CTI/AUS	1996

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in regard to the mobility of business people and
publish a Handbook on short-term Business
Travel requirements.

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Information Needs	Responsibility Centre	Target Dates
Other Areas		
Exchange information on Export Controls.	CTI	1997
Identify and measure impediments in the areas of services, investment and technology flows.	CTI	1996 and on-going
Deregulation and Mapping.	CTI	1998
Analysis of Service Industry in APEC.	CTI/EC	TBA*
Monitor work in other organizations (e.g., OECD, WTO and World Bank) in areas such as the Trade Restrictiveness Index (TRI), Effective Rates of Assistance (ERAs) and on the quantification of price and other impacts of investment impediments.	EC	TBD**
Analyze trade and investment flows between APEC member economies and between APEC members and non-APEC trading partners.	EC	On-going
Analyze the economic impact of APEC 1997 trade liberalization and facilitation of Manila Action Plan.	EC	November
Trade-Related Environmental Measures & 1998 Environment-Related Trade Measures in APEC.	EC	December

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* TBA: To Be Advised

** TBD: To Be Determined

APPENDIX

Directory of Terms

ABAC	APEC Business Advisory Council
BAC	Budget and Administrative Committee
BGT	Group on Basic Telecommunication
CAP	Collective Action Plan
CTI	Committee on Trade and Investment
DPEG	Dispute Mediation Experts' Group
EC	Economic Committee
EDI	Electronic Data Interchange
GATS	General Agreement on Trade in Services
GP	Government Procurement
GPEG	Government Procurement Experts' Group
IAP	Individual Action Plan
ICAO	International Civil Aviation Organisation
ICSID	International Convention on the Settlement of Investment Disputes
IEG	Investment Experts' Group
IPTI	International Intellectual Property Training Institute
IMO	International Maritime Organisation
IPR	Intellectual Property Rights
IPR-GT	Intellectual Property Rights Get-Together
IVANS	International Value-Added Network Services
KIPO	Korean Industrial Property Office
LSG	Liberalisation Steering Group
MAPA	Manila Action Plan for APEC

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MRA	Mutual Recognition Arrangements
NAFTA	North American Free Trade Agreement
NTM	Non-Tariff Measures
OAA	Osaka Action Agenda
PBEC	Pacific Basin Economic Council
PBF	Pacific Business Forum
PECC	Pacific Economic Cooperation Council
PFP	Partners for Progress
ROO	Rules of Origin
SCSC	Sub-Committee on Standards and Conformance
SME	Small and Medium Enterprises
SOM	Senior Officials' Meeting
SPS	Agreement on the Application of Sanitary and Phytosanitary
TBT Measures	Agreement on Technical Barriers to Trade
TBT/SPS	Technical Barriers to Trade/Sanitary and Phytosanitary
TDTF Measures	Tariff Database Task Force
TEL WG	Telecommunications Working Group
TID WG	Trade and Investment Data Review Working Group
TILF	Trade and Investment Liberalisation and Facilitation
TRIPS	Agreement on Trade-Related Aspects of Intellectual Property
UN/ECE Rights	United Nations Economic Commission for Europe
UN/EDIFACT	United Nations Rules for Electronic Data Interchange for Administration, Commerce and Transport
UNCTAD	United Nations Conference on Trade and Development
UR	Uruguay Round
WCO	World Customs Organisation
WIPO	World Intellectual Property Rights Organisation
WTO	World Trade Organisation