

A New Look at the Free Trade Area of the Asia-Pacific (FTAAP): Review of APEC's Collective Progress

APEC Policy Support Unit

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1. INTRODUCTION

This document reviews APEC economies' collective progress moving forward the Free Trade Area of the Asia-Pacific (FTAAP) agenda consistent with Leaders' and Ministers' instructions. APEC has been actively initiating and implementing various activities, projects, and studies meant to advance the FTAAP agenda. These efforts were strengthened by the endorsement of the Lima Declaration on FTAAP in November 2016 (APEC, 2016) and by APEC Leaders' affirmation in the APEC Putrajaya Vision 2040. To wit, the Aotearoa Plan of Action (APA) — which serves as the implementation plan of this Vision — stated as APEC's third objective that: "we will further advance the Bogor Goals and economic integration in the region in a manner that is market-driven, including through the work on the FTAAP agenda which contributes to high standard and comprehensive regional undertakings" (APEC, 2021). Since then, APEC economies have implemented multiple projects and initiatives on a broader range of topics, such as inclusive trade and the environment. Box 1 provides a timeline of the FTAAP agenda's key milestones.

Through the Committee on Trade and Investment (CTI), its sub-fora, and other relevant APEC fora, APEC economies have improved government officials' understanding of trade agreements and strengthened their capacity to negotiate comprehensive regional trade agreements (RTAs) and free trade agreements (FTAs). APEC economies utilized different avenues, including the Capacity-Building Needs Initiative (CBNI), the exploration of next generation trade and investment issues (NGeTIs), and the Information Sharing Mechanism on RTAs/FTAs.

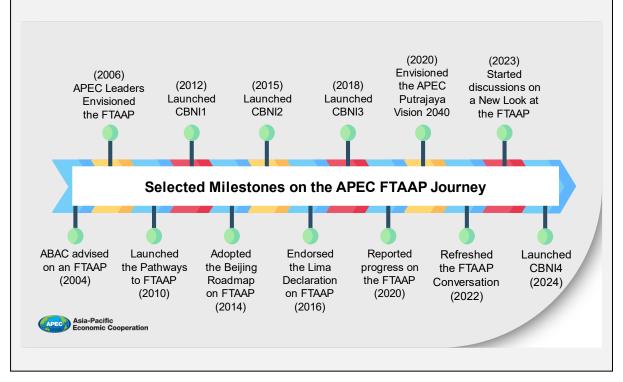
Moreover, APEC economies have also proactively advanced the discussion and deliberation of different work programs relevant to advancing economic integration in the region. In addition to reviewing progress in these areas, this document also provides an update on ongoing regional undertakings that may serve as possible pathways to realizing the FTAAP, as well as on the work done by the APEC Business Advisory Council (ABAC) and the Pacific Economic Cooperation Council (PECC) in this area.

Box 1. Timeline of the FTAAP agenda's key milestones

The idea about the FTAAP began with ABAC's advice in 2004 — calling on APEC economies to study the concept of an FTAAP that "potentially could bring significant economic benefit to the region as a whole (ABAC, 2004)". After deliberating on this concept, APEC Leaders acknowledged in 2006 that, despite the practical difficulties in negotiating an FTAAP, it merits serious consideration as a long-term prospect (APEC, 2006).

Responding to this acknowledgment, APEC undertook further studies on how best to move forward. This effort culminated in 2010 with the launching of the Pathways to FTAAP (APEC, 2010), which not only instructed APEC officials to "take concrete steps towards the realization of an FTAAP" but also mentioned that "an FTAAP should be pursued as a comprehensive free trade agreement by developing and building on ongoing regional undertakings". In addition, the Pathways to FTAAP acknowledged the need to improve APEC economies' capacity-building in trade and investment areas. Concrete capacity building steps have been operationalized through the CBNI since 2012 and relaunched three more times: in 2015 (CBNI2), in 2018 (CBNI3), and in 2024 (CBNI4).

Across the years, APEC has made progress in moving forward the FTAAP agenda, as reported in 2020 in response to Leaders' instructions (APEC, 2020). More recently, in 2022, APEC Leaders welcomed a refreshed conversation on the FTAAP. This motivated APEC officials to start discussions in 2023 on "A New Look at the FTAAP".



2. STRENGTHENING APEC'S ROLE AS INCUBATOR OF IDEAS

2.1 CAPACITY-BUILDING NEEDS INITIATIVE (CBNI)

Capacity building is one of the many ways that APEC does to advance the eventual realization of an FTAAP. Through the CBNIs, APEC has been able to narrow the gap among members' RTA/FTA capacities, foster mutual benefits through learning each other's best practices, and explore ways to overcome challenges. Across the years, CTI has continuously organized several capacity building initiatives to raise awareness and strengthen government officials' skills in areas that are critical for the negotiation of trade agreements.

Since the first phase of the CBNI was launched in 2012, CTI has implemented a total of 44 CBNI activities related to advancing the FTAAP agenda (Table 1). These projects have a cumulative total project value of at least USD 5.1 million, of which around 70 percent was APEC-funded (USD 3.6 million). The remaining 30 percent (USD 1.6 million) was funded by APEC economies, including contributions of at least USD 350,000 from self-funded projects.

In 2023, CTI endorsed the fourth phase of the CBNI (CBNI 4), which will take place from 2024 to 2025 (APEC, 2023a). The CBNI 4 will cover sectors that reflect the new economic environment in the post-pandemic era, as well as sectors that were included in previous CBNI programs but whose demands for further discussions and clarification remain. The CBNI 4 also seeks to continue narrowing RTA/FTA capacity gaps among member economies.

Table 1 List of APEC Capacity-Building Needs Initiative (CBNI) Activities (values in USD)

#	Project	Activity	Total	APEC	Co-Funding /
	Number		Project	Funding	Self-Funding
			Value	(% share	Amount
				to total	
				value)	
01	CTI 26	Increase of FTA Utilization Workshop	90,000	90,000	0
	2011T			(100%)	
02	CTI 09	FTAAP Capacity Building Programmes in Rules of Origin	256,000	121,000	135,000
	2012A	and FTA Implementation		(47%)	
03	CTI 10	APEC Training Course on Building and Enhancing	144,448	118,548	25,900
	2012A	Capacities to Participate in FTA-related Environment		(82%)	
		Negotiations			
04	CTI 11	APEC Training Course on Building and Enhancing FTA	145,448	119,548	25,900
	2012A	Negotiation Skills on Sanitary and Phytosanitary (SPS)		(82%)	
05	CTI 16	Capacity Building for Scheduling of Services and	150,608	53,549	97,059
	2012T	Investment Commitments in Free Trade Agreements (FTAs)		(36%)	
06	CTI 18	APEC Workshop on Building and Enhancing FTA	171,100	131,600	39,500
	2012T	Negotiation Skills on E-Commerce		(77%)	
07	CTI 23	Capacity Building for Negotiating Labor Provisions in FTAs	130,480	51,050	79,430
	2012T			(39%)	
08	CTI 11	APEC Training Course Series on Building and Enhancing	145,000	115,600	29,400
	2013T	FTA Negotiation Skills on Government Procurement		(80%)	
09	CTI 12	APEC Capacity Building - Workshop on Provisions of	127,373	127,373	0
	2013A	Regional Trade Agreements (RTAs)/Free Trade Agreements		(100%)	
		(FTAs) in the Asia-Pacific Region Concerning Safeguards,			
		including Transitional Safeguards			
10	CTI 13	FTAAP Capacity Building Program in FTA Dispute	238,300	121,000	117,300
	2013A	Settlement Proceedings		(51%)	

¹ Various activities have been implemented under CBNI's first three phases, which ran from 2012-2014 (phase 1), 2015-2017 (phase 2), and 2018-2021 (phase 3). Notably, a CBNI phase was not in effect in the period 2022-2023. Nonetheless, two activities (endorsed in 2022) that would normally fall under the CBNI has been included in this review.

				T =0 = · · ·	
11	CTI 21 2013T	Capacity Building to Prepare for FTA Negotiations – Research, Analysis, Consultation, Development of Negotiating Positions and Team-Building	145,695	78,710 (54%)	66,985
12	CTI 31 2013A	APEC Capacity Building Workshop on FTA Negotiation Skills on Intellectual Property	148,564	127,600 (86%)	20,964
13	CTI 03 2015A	Capacity Building Workshop on Negotiations of Services Chapters under FTAs with a Negative List Approach	88,215	88,215 (100%)	0
14	CTI 05 2015	APEC Capacity Building Workshop on FTA Negotiation Skills on Technical Barriers to Trade (TBT)	160,680	133,930 (83%)	26,750
15	CTI 14 2015	APEC Capacity Building Workshop on FTA Negotiation Skills on Environment (Phase 2)	152,876	134,126 (88%)	18,750
16	CTI 15 2015A	Capacity Building on Existing International Investment Agreements (IIAs) in the APEC Region, Relevance, Emerging Trends, Challenges and Policy Options to Address Coherence in Treaty Making	125,300	120,250 (96%)	5,050
17	CTI 02 2016A	FTAAP Capacity Building Workshop on Scheduling of Market Access Commitments in Services Trade and Investment under the 2 nd REI CBNI	172,900	99,500 (58%)	73,400
18	CTI 04 2016S	APEC Capacity Building Needs Initiative (CBNI) Seminar on Electronic Commerce Chapter of the RTAs/FTAs	30,000	n/a	30,000 (self-funded)
19	CTI 05 2016	APEC Capacity Building Workshop on FTA Negotiation Skills on Intellectual Property – Phase 2	162,900	136,150 (84%)	26,750
20	CTI 21 2016A	APEC Workshop on FTAAP Building Blocks: The Pacific Alliance Contribution to APEC Work in Services, MSMEs and Trade Facilitation	173,216	148,216 (86%)	25,000
21	CTI 27 2016A	Capacity Building on Environmental Provisions in Free Trade Agreements (FTAs) / Regional Trade Agreements (RTAs)	91,000	80,000 (88%)	11,000
22	CTI 28 2016A	Strengthening Transparency and Participation in the Processes of Negotiation of Trade Agreements	149,616	124,616 (83%)	25,000
23	CTI 02 2017T	FTAAP Capacity Building Workshop on FTA Negotiation Skills on Competition Under the 2 nd REI CBNI	128,459	105,148 (82%)	23,311
24	CTI 19 2017A	FTAAP Capacity Building Workshop on Addressing Non- Tariff Measures (NTMs) in FTAs/RTAs under the 3 rd REI CBNI	129,040	100,000 (77%)	29,040
25	CTI 01 2018S	FTAAP Capacity Building Workshop on Intellectual Property Rights under the 3 rd REI CBNI	0	n/a	0 (self-funded)
26	CTI 02 2018S	APEC Workshop on Optimizing Investment Measures in the Asia-Pacific Region	40,000	n/a	40,000 (self-funded)
27	CTI 01 2018T	FTAAP Capacity Building Workshop on Competition Chapter in FTAs/EPAs under the 3 rd REI CBNI	146,972	136,468 (93%)	10,504
28	CTI 04 2018A	APEC Capacity Building Workshop on RTAs/FTAs Negotiation Skills and Techniques	140,585	110,000 (78%)	30,585
29	CTI 05 2018A	APEC Capacity Building on Domestic Consultation in RTAs/FTAs Negotiation	132,990	122,990 (92%)	10,000
30	CTI 10 2018A	APEC Capacity Building Workshop on RTA/FTA Negotiation Skills on Small and Medium Enterprises (SMEs)	130,585	100,000 (77%)	30,585
31	CTI 02 2019S	Self-Funded Capacity Building Workshop on Women and Trade	50,000	n/a	50,000 (self-funded)
32	CTI 04 2019T	FTAAP Capacity Building Workshop on Competition Policy under the 3 rd REI CBNI: Sharing Good Examples of FTAs/EPAs	223,326	200,000 (90%)	23,326
33	CTI 06 2019T	FTAAP Capacity Building Workshop on E-Commerce Elements in FTAs/RTAs	170,000	90,000 (53%)	80,000
34	CTI 07 2019A	APEC Capacity Building Workshop on RTA/FTA Negotiation Skills on Transparency	138,585	110,000 (79%)	28,585
35	CTI 02 2020T	FTAAP Capacity Building Workshop on E-Commerce Elements in FTAs/RTAs (Phase 2)	180,000	90,000 (50%)	90,000
36	CTI 03 2020T	CTI-EC FTAAP Policy Dialogue on Competition-Related Provisions in FTAs/EPAs from a Business Perspective	88,415	88,415 (100%)	0
37	CTI 06 2022S	FTAAP Work Program: Multistakeholder Engagement Approaches for Trade Agreement Development	160,000	n/a	160,000 (self-funded)
38	CTI 08 2022S	FTAAP Work Program on APEC Efforts to Address Inclusion in Trade Agreements	70,000	n/a	70,000 (self-funded)
Self-		ivities without an assigned project number			
39	n/a	Workshop on FTA Implementation (2012)	n/a	n/a	n/a

40	n/a	Capacity Building Workshop Dealing with a New Trade Landscape: Complexities of Rules of Origin and Logistical Challenges of Trade Facilitation (2015)	n/a	n/a	n/a
41	n/a	APEC Capacity Building Workshop on Trade Remedies (2017)	n/a	n/a	n/a
42	n/a	Prominent 'Next Generation' Trade and Investment Issues: A Stocktake of Trade Policy Responses in the APEC Region, Other Regions and the WTO (2018)	n/a	n/a	n/a
43	n/a	Prominent 'Next Generation' Trade and Investment Issues: A Stocktake of Trade Policy Responses in the APEC Region, Other Regions and the WTO (2019)	n/a	n/a	n/a
44	n/a	Capacity Building Workshop on Tariffs (2019)	n/a	n/a	n/a
		TOTAL	5,128,676	3,573,602 (70%)	1,555,074
		APEC-funded projects	4,778,676	3,573,602 (75%)	1,205,074
		Self-funded projects	350,000	n/a	350,000

Source: APEC Policy Support Unit (PSU) compilation based on the Stocktake of APEC CBNI activitie: (https://www.apec.org/groups/committee-on-trade-and-investment/cti/cbni) and the APEC Project Database (accessed 23 January 2024).

Most of these CBNI projects are targeted to impart specific skills and knowledge (e.g., FTA negotiation skills, exploration of topical chapters in RTAs/FTAs) to stakeholders. Table 2 shows that, in terms of the number of CBNI projects, APEC has targeted areas such as electronic commerce; competition policy; and investment the most. All three areas recorded four CBNI activities since 2012.

Interestingly, however, is that, apart from competition policy, these areas did not necessarily receive the largest funding support from APEC. Projects related to competition policy received the largest amount of APEC funding (USD 530,031 from 4 projects), followed by those about cross-border trade in services (USD 335,931 from 3 projects) and the environment (USD 332,674 from 3 projects). And, despite its increasing importance over recent years, projects on electronic commerce received from APEC only 59 percent (USD 311,600 from 4 projects) of the funding that competition policy projects have received. In the same way, projects related to inclusive trade such as labour and micro, small and medium enterprises (MSMEs) received only 56 percent (USD 299,266 from 4 projects) of what competition policy projects were awarded. This gap indicates room for APEC economies to further expand financial support in areas that APEC has identified as emerging topics of interest. For instance, APEC members can utilize the FTAAP and Global Value Chains fund, which amounted to USD 1.4 million as of end 2023. This translates to a 59 percent fund utilization rate since the sub-fund was created in 2015.²

Furthermore, economies can also explore activities that target other emerging areas that have thus far been neglected such as government procurement, state-owned enterprises, temporary entry for business persons, professional services, and regulatory coherence. Economies can consider exploring these areas within the CBNI 4.

Table 2 Number of CBNI activities and APEC funding received, by selected areas (values in USD)

Table 2 I tamber of C21 (1 activities and III 2 C Tamaing 10001 (0) of Science areas (values in C22)					
Chapter	Number of CB	NI APEC Funding			
	Activities	Received/a			
National treatment and market access for goods/b	2	-			
Rules of origin and origin procedures	2	121,000			
Customs administration and trade facilitation	2	148,216			
Trade remedies	2	127,373			
Sanitary and phytosanitary measures	2	219,548			
Technical barriers to trade	2	233,930			
Investment	4	273,299			

² For more information, see: https://www.apec.org/projects/funding-sources.

Cross-border trade in services	3	335,931
Financial services	-	-
Maritime services	-	-
Temporary entry for business persons	-	-
Telecommunications	-	-
Professional services	-	-
Electronic commerce	4	311,600
Government procurement	1	115,600
Competition policy	4	530,031
State-owned enterprises and designated monopolies	-	-
Intellectual property	3	263,750
Labour	1	51,050
Environment	3	332,674
Cooperation and capacity building	-	-
Competitiveness and business facilitation	-	-
Development	-	-
Small and medium-sized enterprises	3	248,216
Regulatory coherence	-	-
Transparency and anti-corruption	1	110,000
Dispute settlement	1	121,000
Macroeconomic policies and exchange rate matters	-	-
General capacity building and others, not elsewhere specified	8	526,316
Total	48	4,069,534

^{7a} Four projects address multiple chapters, thus the total sum of APEC funding in this table exceeds the total amount shown in Table 1.

Source: APEC PSU compilation based on the Stocktake of APEC CBNI activities (https://www.apec.org/groups/committee-on-trade-and-investment/cti/cbni) and the APEC Project Database (accessed 23 January 2024).

2.2 NEXT GENERATION TRADE AND INVESTMENT ISSUES

APEC economies used to identify and endorse NGeTIs as part of APEC's effort to promote better capacity building, particularly in areas that economies expect to gain importance in the future. Between 2011 and 2014, APEC Ministers endorsed five topics of interest (Table 3). Throughout the years, several economies have proposed and implemented activities related to these endorsed NGeTIs, which totaled to nine activities as of August 2023.

Table 3 NGeTIs endorsed by APEC Ministers (as of August 2023)

Year endorsed by APEC Ministers	Topic
2011	Facilitating global supply chains
	Enhancing small- and medium-sized enterprises (SME) participation in global production chains
	Promoting effective, non-discriminatory, and market driven innovation policy
2012	Transparency in regional and free trade agreements (RTAs/FTAs)
2014	Manufacturing-related services in supply chains/value chains

Source: IEG Work Plan for Investment Aspects of Next Generation Trade and Investment Issues (2023/SOM3/IEG/009).

Regrettably, no new NGeTI has been endorsed in almost a decade. But while there has not been a formal endorsement of any new NGeTI, APEC economies have exercised their flexibility to adopt alternative approaches to continue advancing the discussion in emerging trade and investment issues. In fact, 10 areas of interest have been discussed in recent years: gender and corporate social responsibility; digital trade; environment; labour; food safety and security; trade facilitation; intellectual property rights; competition policy; government procurement; and anti-corruption.

Economies must be vigilant in identifying areas that will play a key role in future trade negotiations or policies. In fact, discussions in APEC should evolve at least at the same pace that business practices are doing because those aforementioned 'next generation' topics have already become 'present generation' issues.

⁷⁶ CBNI activities related to this area include nos. 42 and 44 shown in Table 1, both of which are self-funded projects.

2.3 APEC'S INFORMATION SHARING MECHANISM ON RTAS/FTAS

Under APEC's information sharing mechanism on RTAs/FTAs, member economies have been able to raise awareness on WTO-plus elements as well as to get a better understanding in disciplines with no or limited WTO rules. In addition, this mechanism provides APEC economies with an opportunity to not only share their own experience in incorporating these WTO-plus elements but also to learn from other economies' experience.

Most APEC economies publish the legal texts and liberalization schedules of their RTAs/FTAs via official websites in a timely manner. However, in some cases, official translations written in English are not available in official websites. Within APEC, the APEC Secretariat's website provides easy access to RTAs/FTAs information related to APEC activities, as well as a list of links containing legal texts and other relevant information of trade agreements put in place by each APEC member.³

Since 2015, CTI has organized multiple trade policy dialogues (TPDs) across a broad range of topics and agreements (Table 4). This includes gender, SMEs, Indigenous cooperation, and the environment, among others. A total of nine TPDs have been held thus far.

Table 4 CTI Trade Policy Dialogues on WTO-plus Elements of RTAs/FTAs

Year	Topic (and Agreement, if applicable)	Presenting Economy
2015	Australia-Korea FTA progressive elements	Korea
	Chile-Hong Kong, China FTA progressive elements	Chile; and Hong Kong, China
	Japan-Peru Economic Partnership Agreement progressive elements	Japan; and Peru
2016	Canada-Korea FTA progressive elements	Canada; and Korea
	AANZFTA progressive elements	New Zealand
	Australia-Chile FTA	Chile
2017	CETA progressive elements	Canada
	Technical barriers to trade	Singapore
2018	State-owned enterprises	United States
	State-owned enterprises in CETA	Canada
	State-owned enterprises in the CPTPP	Japan
2019	Gender	Chile
	Small and medium enterprises in the CPTPP	Viet Nam
	Indigenous cooperation in ANZTEC	Chinese Taipei
2020	WTO Joint Statement Initiative on E-commerce negotiations	Australia; Japan; and Singapore
2021	Development and economic cooperation in PACER-Plus	Australia
	Development and economic cooperation in RCEP	Singapore
	Development and economic cooperation in AANZFTA	Viet Nam
2022	Trade and the environment	Australia
2023	Institutional provisions in AANZFTA	Indonesia
	Institutional provisions in the Pacific Alliance	Peru
	Institutional provisions and Indigenous economic empowerment and	New Zealand
	cooperation	

Source: APEC PSU compilation based on APEC CTI Annual Reports to Ministers (2015—2023).

In addition to these TPDs, CTI has also organized other events related to the FTAAP (see Section 3). For instance, three dialogues involving APEC senior officials were held from 2015 to 2017 to discuss RTAs/FTAs, and a symposium on how RTAs/FTAs can contribute towards economic growth was held in 2018. More recently were two workshops in 2023 under the FTAAP Work Program on APEC Efforts to Address Inclusion in Trade Agreements (CTI 08 2022S),⁴ which saw participants sharing best practices to help address and reduce trade barriers affecting certain groups, including MSMEs and women. CTI is expected to hold three more TPDs in 2024.

³ For more information, see: https://www.apec.org/groups/other-groups/fta_rta.

⁴ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3036.

3. FTAAP WORK PROGRAMS TO ADVANCE REGIONAL ECONOMIC INTEGRATION

Throughout the years, APEC has initiated and completed numerous activities that advance economic integration in the region. Most of these are activities that support FTAAP work programs explicitly mentioned in the Lima Declaration on FTAAP, namely: (1) tariffs; (2) non-tariff measures (NTMs); (3) services; (4) investment; and (5) rules of origin (ROO). APEC has also continued or explored work programs in other areas as well.

Building from previous work and with an intent to refresh the conversation on the FTAAP agenda, APEC has endorsed in 2022 a multiyear FTAAP agenda Work Plan for implementation from 2023 to 2026. This multiyear work plan responds to Leaders' commitments in the Putrajaya Vision 2040 and the Aotearoa Plan of Action for APEC to take forward work on the FTAAP agenda. This Section mentions not only the activities that member economies have proposed, implemented, and completed based on the FTAAP agenda Work Plan Matrix, as of August 2023 (2023/SOM3/CTI/011) but also some of the previous work that APEC has accomplished prior to the multiyear FTAAP work plan.

Under the current multiyear work plan, most activities are related to specific areas. However, some initiatives are broad, covering many different topics, such as a study on areas of convergence and divergence of trade agreements in the region, expected to be delivered in 2024. These activities seek to contribute towards APEC discussions on the directions that APEC could advance or provide a new look at the FTAAP.

3.1 TARIFFS

CTI has already completed two studies on tariffs: (1) a 2019 report on *Taking Forward the Lima Declaration on the FTAAP – Study on Tariffs* (Kuriyama et al., 2019), which examined the economic impact of trade liberalization in the APEC region under possible pathways toward the FTAAP and analyzed market access commitments agreed in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP); and (2) a 2022 report titled *Study on Tariffs: Analysis of the RCEP Tariff Liberalization Schedules* (Kuriyama, Calizo, and Carranceja, 2022), which assessed market access commitments under RCEP.

Apart from these reports, CTI, through the Market Access Group (MAG), has also supported the work program on tariffs by organizing a capacity building workshop to raise awareness and have a deeper understanding of the impact of possibly lowering remaining tariffs among member economies.

3.2 NON-TARIFF MEASURES (NTMS)

On NTMs, CTI has already completed a 2023 report on the *Study on Non-Tariff Measures Affecting Trade in Goods Reducing Greenhouse Gas Emissions*, which probed into how NTMs influenced the trade of certain goods and on how different firms experienced such measures on the ground (Kuriyama, Calizo, and Deloitte Access Economics Pty Ltd, 2023).

Prior to the current multiyear workplan, CTI implemented three TPDs aimed at getting a better understanding of the challenges that NTMs posed to specific sectors. These TPDs discussed NTMs affecting food; textile and apparel; and agriculture, forestry, and fishing. Apart from TPDs, CTI also developed useful documents such as the *APEC Cross-Cutting Principles on Non-Tariff Measures*, which established principles that APEC members should follow when developing any new measure (APEC, 2018a). For instance, this includes the need for transparency and consultations with stakeholders.

3.3 SERVICES

CTI, through the Group on Services (GOS), advances the FTAAP work program on services through the implementation of the APEC Services Competitiveness Roadmap (ASCR). One of the main areas of work is on the domestic regulation of services. For example, APEC Ministers endorsed the *Non-Binding Principles of Domestic Regulation of the Services Sector* in 2018 (APEC, 2018b). This document was the culmination of several efforts by GOS, including a number of workshops that facilitated a better understanding of relevant principles and best practices.

Similarly, GOS has also advanced initiatives related to services domestic regulation, particularly in the area of technical standards for services. For instance, GOS supported a 2023 workshop on *Services Domestic Regulation: Envisioning Next Generation Technical Standard Principles*, ⁵ which built on a 2021 study about Next Generation Practices for Services Authorization in the Asia-Pacific Region.

Another area of work is the development of data and statistical indicators that measures the regulatory environment of services trade in the APEC region. Through the support of the Organisation for Economic Co-operation and Development (OECD), APEC launched the APEC Index in 2020, initially covering four services sectors for its pilot program.⁶ Over the years, GOS has assisted member economies by conducting training workshops on how to utilize the APEC Index. As of end 2023, the APEC Index has already been expanded to cover 17 economies and 22 sectors. Economies can explore ways on how to help support the onboarding of the remaining four economies.

GOS has also undertaken reviews of the Manufacturing-related Services Action Plan and the Environmental Services Action Plan. Part of these reviews was a workshop organized by GOS to identify challenges and opportunities related to trade in environmental services. Other relevant work geared towards implementing the ASCR were workshops and public-private dialogues on new technologies, electronic commerce and digital economy, and the competitiveness of the telecommunications sector, among others.

3.4 INVESTMENT

CTI, through the Investment Experts' Group (IEG), has published a case study report on advancing economic inclusion through trade and investment in the Asia-Pacific region. In addition, a peer review and capacity building effort on APEC infrastructure development and investment that seeks to promote seamless connectivity, and research on key areas and

⁵ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3221.

⁶ For more on the APEC Index, see: https://apecservicesindex.org/.

implementation paths for deepening APEC inclusive trade and investment cooperation are in progress. The IEG has also begun to explore the relevance of indicators in the Work Plan of NGeTI issues.

Prior to the current multiyear work plan, CTI completed several initiatives that supported the FTAAP work program on investment's aim of identifying areas of convergence in investment practice and exchange experiences concerning the negotiation and implementation of international investment agreements. One example is a workshop on optimizing investment measures in the Asia-Pacific region, which saw economies discuss practices related to investment liberalization and facilitation as well as to exchange their experiences in the negotiation of RTAs/FTAs. Other examples include two workshops hosted by the IEG. One discussed sustainable and inclusive investment policies to better understand and formulate strategic investment policies while another focused on investment policy reforms that can increase domestic value-added from foreign direct investments.

Apart from these capacity building efforts, both CTI and the IEG have jointly published a 2020 manual titled as a *Handbook on Obligations in International Investment Treaties* (Calamita, 2020). This manual provides government officials with a practical resource that can help them avoid violating international investment obligations, among others. In 2022, the IEG also completed the second phase of the *APEC Investment Commitment Handbook* project that started in 2018.⁷

3.5 RULES OF ORIGIN (ROO)

CTI undertook some initiatives prior to the current multiyear work plan. For example, CTI organized in 2017 a public-private dialogue to examine APEC's past work on ROOs and facilitated the exchange of best practices. An undertaking to review and update the 2007 APEC Model Measures for RTAs/FTAs on ROO has been agreed upon before. This review sought to develop a document for APEC guiding principles on ROOs, but this work has been paused.

3.6 OTHER TOPICS

Neither the FTAAP language in the APEC Putrajaya Vision 2040, the APA, nor the Lima Declaration on FTAAP restricts APEC economies from developing other work programs that are outside those that were explicitly mentioned in these documents. In this sense, there have been initiatives endorsed in other areas. As outlined above, the FTAAP agenda Work Plan is one initiative where economies' intention to advance discussions on other topics related to the FTAAP agenda is articulated.

Inclusive Trade

Over the years, CTI has endorsed and implemented several initiatives on inclusive trade. In 2023, for instance, APEC held two sets of workshops. One under the *APEC Efforts to Address Inclusion in Trade Agreements*, 8 which explored best practices that reduce trade barriers affecting those with untapped economic potential. Another under the *Multi-stakeholder*

⁷ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=2317.

⁸ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3036.

Engagement Approaches for Trade Agreements Development, 9 which discussed not only the relevance and importance of facilitating engagement among stakeholders in order to develop RTAs/FTAs but also on how to reach them and to mitigate obstacles or concerns. CTI also advanced discussions related to inclusive trade and investment under the Research on Key Areas and Implementation Paths for Deepening APEC Inclusive Trade and Investment Cooperation, which is expected to publish its findings in 2024. 10

Some initiatives were more specific. On MSMEs, CTI is conducting activities that seek to develop APEC principles for the interoperability of electronic invoicing systems in the APEC region and discuss on the next steps regarding interoperable approaches that support MSMEs. CTI is also implementing a project titled *Fostering Greater SME Participation in Global Value Chains – Phase 2: Utilisation of Digital Technologies and Digitalisation.*¹¹

Prior to the current multiyear work plan, CTI implemented a project titled *Next Generation MSME-specific Provisions and Possible Next Steps*, which aimed to identify possible specific provisions on MSMEs relevant to APEC's FTAAP work.¹² This project utilized the outcome of the Survey on MSME/MSME-related Provisions in APEC Economies' RTAs/FTAs. CTI also contributed to the discussion on enhancing supply chain resilience for MSMEs by holding a workshop in 2023.

Another area that CTI has been advancing is women and trade. For instance, a project on *Promoting Women's Economic Empowerment through Trade Policy and Trade Agreements* is expected to deliver a survey, a workshop, and a report in 2024.¹³ This project will help deepen economies' understanding of the nuances covering gender-related trade and identify ways forward to promote women's economic empowerment in the region.

Other achievements in the past includes an initiative to explore how economies can best help trade promotion organizations assist women-led businesses to grow globally. This initiative oversaw the conclusion of a pilot business activator program under the project on *APEC Business Activator Pilot for Women-led SMEs to Access Global Markets*. ¹⁴ Progress has also been seen on helping indigenous businesses overcome trade barriers. In 2023, APEC, in partnership with the World Economic Forum, held a workshop on increasing access to the benefits of trade for indigenous businesses and entrepreneurs.

Digital Trade and Electronic Commerce

CTI has been active in supporting initiatives related to digital trade and electronic commerce. In 2023, over 50 digital-related events were held, involving multiple stakeholders that discussed topics such as artificial intelligence, digital assets, and digital connectivity, among others. Similarly, CTI also completed a project on *Measuring the Economic Impact of Digital Trade / E-Commerce Provisions* (AA Access Partnership Pte Ltd, 2023).

CTI is also leading an initiative to promote the development of an inclusive digital economy in the APEC region. This initiative prioritized cooperation areas and encouraged discussions and

⁹ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3034.

¹⁰ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3035.

For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3230.

¹² For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Concept%20Notes/DispForm.aspx?ID=2229.

¹³ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3430.

¹⁴ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3302.

cooperation on information sharing, capacity building, and policy dialogues. Part of this initiative's goals was to inspire cross-fora collaboration on actions that promote an inclusive digital economy. Building from past progress, CTI is considering two proposals in 2024, namely: (1) on sharing best trade policy practices that will enhance synergies between trade and innovation; and (2) on a report and capacity-building workshop regarding a digital identity system for entities development and its applications.

Prior to the current multiyear work plan, CTI developed the *Work Plan on Digital Trade and E-Commerce for the Realization of the FTAAP*, which conducted a stocktake on digital trade/electronic commerce elements in RTAs/FTAs. CTI also conducted a survey on electronic commerce regulations and a study on *Fostering an Enabling Policy and Regulatory Environment in APEC for Data-Utilizing Businesses* (Beri et al., 2019). In addition, the former Electronic Commerce Steering Group (ECSG, succeeded by the Digital Economy Steering Group or DESG) developed a report on *Promoting Cross-Border E-Trade under the Framework of RTAs/FTAs – Best Practices in the APEC Region* that reviewed e-trade measures (Cofortune Information Technology Co. Ltd, 2018).

State-Owned Enterprises (SOEs)

There has been a proposal to prepare a Work Plan Related to FTAAP Addressing State-Owned and Controlled Enterprises, but it has been unable to achieve consensus. Amid ongoing deliberations in CTI for several years, similar and related work has been done by other international organizations.

Despite the absence of a formal work plan, CTI was still able to organize a TPD on WTO-Plus Elements that discussed SOEs. Several APEC member economies shared their experiences about how SOEs issues could be considered in RTAs/FTAs during this TPD.

Transparency

CTI has previously initiated to summarize work undertaken by APEC economies related to trade policy transparency. In addition, CTI sought to identify possible steps to promote a transparent and predictable trade and investment environment in the region. Furthermore, CTI, through the Sub-Committee on Standards and Conformance (SCSC), also implemented a project to promote transparency through the improvement of technical barriers to trade (TBT) and sanitary and phytosanitary (SPS) notifications, thereby providing recommendations to facilitate trade and improve the predictability of regulations for government officials and the private sector (Valverde et al., 2019; Rosas et al., 2022).

Environment

A work program on environment-related provisions in RTAs/FTAs has been previously initiated. This work program seeks to build a better understanding of APEC economies' approaches and experiences on the inclusion of environment-related provisions in RTAs/FTAs. A stocktake survey, including desk research, has been conducted.

CTI, through the Market Access Group (MAG), also made progress in transposing the nomenclature of the 2012 APEC List of Environmental Goods from HS 2012 to HS 2017

(APEC, 2012). Moreover, MAG is currently in the process of transposing this nomenclature from HS 2017 to HS 2022. MAG is also developing recommendations for potentially producing a voluntary, non-binding reference list of environmental goods. Such an updated list can prove useful for negotiating future RTAs/FTAs with a deeper focus on environmental goods.

Meanwhile on environmental services, CTI, through the help of GOS, has published in 2022 the *Model Schedule of Commitments for Environmental and Environmentally Related Services*, which comprised a model positive list schedule of commitments that economies can find useful in developing provisions in RTAs/FTAs (Epps, 2022). In 2023, GOS also helped expand the 2021 Reference List of Environmental and Environmentally Related Services to include two more sectors, namely: wholesale trade services on a fee or contract basis – related to materials for recycling; and support services to forestry and logging – related to fire management services that support forest ecosystem functioning.

Labour

A proposal to prepare an FTAAP Agenda Work Program on Labour-related Provisions on Technical Assistance and Capacity Building in RTAs/FTAs has been in discussion in the CTI since 2018, but no consensus has been reached yet.

Prior to the introduction of this proposal, 18 participating economies were able to gain understanding of negotiating labour provisions in FTAs in a capacity building workshop held in 2013 (CTI 23 2012T).¹⁵

Competition Policy

CTI previously conducted, together with the Economic Committee, an FTAAP Policy Dialogue on Competition-related Provisions in FTAs and/or economic partnership agreements (EPAs) from a Business Perspective (Ministry of Foreign Affairs, Japan, 2020). This policy dialogue sought to deepen the understanding of what constitutes high-quality and comprehensive competition policies as well as how these policies were reflected in FTAs/EPAs to make it easier to do business in the region.

Trade Facilitation

CTI has been increasingly active in topics related to trade facilitation. For instance, a research study on how economies can help businesses build and maintain open, secure, and resilient supply chains has been published in early 2024. CTI has also endorsed the pursuit of two studies in 2024, namely: (1) a *Study on the Impact of Information Technology Agreement (ITA) and Future of ICT Trade*; ¹⁶ and (2) a study on how economies can help utilize digital trade platforms in the post-COVID-19 era. An APEC workshop for capacity building in self-declaration of origin for RTAs/FTAs, which would help facilitate trade by providing flexibility in origin certification procedures, is also expected to be delivered.

¹⁵ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=1275.

¹⁶ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3201.

Prior to the current multiyear work plan, CTI, through MAG, delivered a project in 2017 that conducted an information gathering exercise on the simplification of documents and procedures. This project identified potential areas for cooperation that could contribute to the eventual realization of the FTAAP, such as self-certification systems, waiver of certificates of origin, and use of information technology in ROO. In 2023, APEC Ministers welcomed the *Principles for the Interoperability of Electronic Invoicing Systems in the APEC Region* (APEC, 2023b). These principles can help advance economies' understanding on how digital tools can be used to facilitate better trade in the region.

Other areas of progress are in the implementation of the WTO Trade Facilitation Agreement (TFA) and of the third phase of the APEC Supply-Chain Connectivity Framework Action Plan (SCFAP III, which would be implemented from 2022 to 2026). On the WTO TFA, CTI hosted a 2022 workshop that explored priorities and channels for adoption of customs-related chapters. CTI also oversaw the culmination of the *Guidelines for Paperless Trade* in 2021, with its underlying inputs and processes consequently published in 2022 (New Zealand Customs Service, 2021, 2022).

Meanwhile, on SCFAP III, the APEC PSU published a 2023 report titled *Measuring Progress on SCFAP III* (2022-2026): *Indicators and Policy Practices*, which would be used to assess APEC's collective progress during the mid-term (2024) and final assessments (2027) (Bayhaqi and Nguyen, 2023). Also in 2023, CTI identified a total of nine APEC economies that will champion the five chokepoints related to SCFAP III.

3.7 OTHER RELEVANT APEC SUB-FORA INITIATIVES RELATED TO FTAAP ISSUES

Other relevant initiatives that CTI has implemented related to the FTAAP includes a project launched by the SCSC in 2019 that aimed to advance a possible model chapter for FTAAP on good regulatory practices. Another initiative is a 2022 report on the potential use of alternative dispute resolution in the field of intellectual property rights and a 2022 workshop that helped economies explore ways forward on how to harmonize the region's patent linkage systems (Intellectual Property Office, Chinese Taipei, 2022; Korea Institute of Intellectual Property, 2023). In 2023, the Intellectual Property Rights Experts Group (IPEG) hosted a workshop on geographical indications and common food names, which helped boost economies' understanding of procedures and the experience of producers in utilizing common names while trading in the region.¹⁷

¹⁷ For more information, see: https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3176

4. UPDATE OF PROGRESS WITHIN POSSIBLE PATHWAYS TOWARDS THE EVENTUAL REALIZATION OF THE FTAAP

As of July 2023, APEC economies have signed a total of 212 RTAs/FTAs, of which 74 involve at least two APEC member economies (APEC PSU, 2023). Among these RTAs/FTAs, the ones with the greatest membership of APEC economies are the CPTPP and RCEP. As of December 2023, the CPTPP has a total of 11 APEC members while RCEP has 12 APEC members. Presently, five APEC economies remain outside these two RTAs/FTAs: Hong Kong, China; Papua New Guinea; Russia; Chinese Taipei; and the United States, although some of these economies have pending formal applications to either the CPTPP or RCEP.

Both the CPTPP and RCEP feature several chapters, of which some are sector-specific or covering emerging issues, such as MSMEs and the environment. Both would prove useful for exploring shared interests among parties and provides a potential foundation for building future RTA/FTA provisions.

5. ABAC AND PECC ON THE PROGRESS OF THE FTAAP

As indispensable partners to APEC, both ABAC and PECC have been strong advocates for an FTAAP. ABAC recommended APEC Leaders to start studying the concept of an FTAAP as early as 2004. Almost two decades after, ABAC reiterated through their 2023 Report to APEC Economic Leaders the importance of the FTAAP as ABAC's preeminent economic priority and called for not only the full implementation and utilization of both the CPTPP and RCEP, but also for the joining of new entrants to these mega-trade agreements (ABAC, 2023b). In addition, ABAC also called for practical approaches to progress the FTAAP agenda, such as by considering a range of shorter-term FTAAP elements and tailored support on emerging issues.

In 2023, ABAC also released a Statement on the FTAAP that called for well-designed and modern trade rules in the eventual FTAAP, and adopted the area of focus on *Revitalizing the Strategy Towards FTAAP and Regional Trade Architecture* as part of their 2024 Work Program (ABAC, 2023a). These developments reflect ABAC's strong support in helping APEC economies advance the FTAAP agenda.

ABAC has also supported the FTAAP agenda through the prior work of their Regional Economic Integration Working Group (REIWG). One example of their past activities is the 2020 report on CTI-EC FTAAP Policy Dialogue on Competition Related Provisions in FTAs/EPAs from a Business Perspective, which examined relevant provisions such as those related to domestic regulation, equal treatment among business stakeholders, and inclusiveness (Ministry of Foreign Affairs, Japan, 2020).

Similarly, PECC has also been actively supporting APEC on the FTAAP agenda. Indeed, PECC has regularly provided their insights during APEC meetings. One example is through the multi-year project titled *FTAAP Pathways to Prosperity*, which aims to give greater substance to the FTAAP and facilitate greater cooperation and understanding across FTAAP-relevant issues and concerns. Under this project, PECC has begun work in 2023 to write discussion papers covering areas such as trade and climate change; professional services and mutual recognition; and services and good regulatory practices (PECC, 2023). PECC also held a workshop about the FTAAP in August 2023.

Previously, PECC released a report titled *Report of the PECC Task Force on APEC Beyond 2020: A Vision for APEC 2040* and conducted a survey among policy experts (PECC, 2019). The survey identified that the most favored way to achieve the FTAAP was through the convergence in terms of product coverage and level of liberalization in various RTAs/FTAs, including the above potential FTAAP pathways.

6. FINAL REMARKS

In the view of the PSU, APEC economies have continuously undertaken various initiatives that have gradually advanced the FTAAP agenda. Throughout the years, CTI, with the support of its sub-fora and other relevant APEC fora (e.g., the CTI-EC FTAAP Policy Dialogue on Competition-Related Provisions), has led the successful culmination of activities channeled through the CBNI, NGeTIs, and the Information Sharing Mechanism on RTAs/FTAs. The achievements gained from these channels complemented the work that APEC economies did under the various work programs and potential work programs related to the FTAAP. APEC has also consistently received the strong support of both ABAC and PECC. Despite these progressions, APEC economies could continue to push forward the FTAAP agenda by identifying and addressing existing gaps:

- Strengthen APEC's financial support of CBNI activities, especially those that address less attended RTA/FTA areas. Under the CBNI's first to third phases, APEC has generously funded 70 percent of the cumulative total project value of all CBNI activities. However, this review found that some RTA/FTA topics, including emerging issues, have either been neglected or given relatively less support. APEC economies can strengthen financial support to these areas by utilizing funding sources such as the FTAAP and Global Value Chains fund or by encouraging projects for these less attended RTA/FTA areas under the CBNI4.
- Encourage more activities that collaborate with not only other APEC fora and subfora but also external partner institutions. APEC economies have undertaken several initiatives that support the FTAAP agenda. Some of these initiatives involved collaboration with internal members (e.g., GOS and SCSC) and with external partner institutions (e.g., ABAC, PECC, the OECD). APEC can benefit from encouraging similar engagements and involving more external partners, especially to explore relevant topics that APEC has less experience and/or expertise.
- Consider practical approaches to progress the FTAAP agenda. As advised by ABAC, APEC economies can consider adopting a range of shorter-term FTAAP elements and other tailored support on emerging issues. Accomplishing this may require APEC to consciously adopt more flexibility and inclusivity in FTAAP-related projects and initiatives, such as by engaging civil society and non-government organizations. APEC economies can also explore creative yet practical approaches, such as utilizing digital technologies to increase the frequency and scope of multistakeholder engagements.

Another practical approach that economies can consider is to leverage the usefulness of devices already in use by APEC, such as the CTI pathfinder initiatives and mutual recognition agreements. Economies can also take initiatives that adopt a flexible approach from the onset. Such an approach benefits from not only acknowledging the importance of capacity building and technical assistance but also the flexibility of deciding which topics participants can get involved with. These practical approaches can help APEC economies move forward the FTAAP agenda.

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