

Annex IV: IMPLEMENTATION

SELECTED ABAC 1997 RECOMMENDATIONS AND APEC ACTIONS

BUSINESS MOBILITY

| ABAC RECOMMENDATION | WHAT APEC HAS ALREADY DONE | WHAT APEC PLANS TO DO |
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| <ul style="list-style-type: none">• APEC economies should collectively commit to make available to all business travellers from APEC economies one of the following visa arrangements (in order of preference) for short-term visits by the end of 1998:<ol style="list-style-type: none">1. Visa-free entry;2. The APEC Business Travel Card; or3. Five-year multiple-entry visas. | <ul style="list-style-type: none">• Visa-free entry is available in about 40 percent of the 420 possible travel permutations (21 x 20 economies). Six economies participate in the Business Travel Card scheme. Trade Ministers in June 1998 endorse economies' collective commitment to grant multiple-entry visas to regular business travellers. | |
| <ul style="list-style-type: none">• APEC economies should establish special immigration lanes at major ports of entry by the end of 1998 for high-frequency business travellers from the region, including holders of five-year multiple entry visas. | <ul style="list-style-type: none">• Economies participating in the Business Travel Card program provide special lanes for cardholders. | |
| <ul style="list-style-type: none">• APEC economies should commit to the following standards for the issuance of business residency permits by 1998:<ul style="list-style-type: none">○ Applications processed within one month of receipt;○ Extensions processed within one week of receipt of application; and○ Automatic renewal for a period of up to three years. | <ul style="list-style-type: none">• Members have agreed in principle to raise service standards for residency permits for executives, managers and specialists transferred within companies as follows by end-1999:<ul style="list-style-type: none">○ Applications processed with a view to finalizing within 30 days of receipt;○ Extensions processed with a view to finalizing within 30 days and the applicant should not be required to leave the economy. | |
| <ul style="list-style-type: none">• The APEC Business Travel Handbook should be regularly updated and widely publicized in member economies. | <ul style="list-style-type: none">• Members have published on the Internet information on existing regulations and procedures for obtaining short-term business visas and business residency permits. | |
| <ul style="list-style-type: none">• APEC should expand its cooperation in visa | <ul style="list-style-type: none">• Members have established a "mentoring" system to provide | <ul style="list-style-type: none">• A 1999 project will focus on prevention of travel document |

processing and border entry management systems and technology beyond information-sharing exercises, and include identification of world best practice systems and technologies, and should give priority to training and technical infrastructure development.

training and technical infrastructure development.

fraud as a means to streamline border processing of legitimate business travelers.

INTELLECTUAL PROPERTY RIGHTS

ABAC RECOMMENDATION

- APEC should set deadlines for achieving the key elements of the IPR Experts' Group's work program that builds towards the creation of a Central Registry for Trademarks and Patents.
- APEC should establish an IPR Education Cooperation Program and a Private Sector Participation Initiative to assist all APEC economies in developing and implementing effective IPR protection regimes.
- APEC economies should implement TRIPS, or equivalent obligations in the case of non-WTO signatories, in the shortest possible time before 2000, with enforcement principles based on world best practice.

WHAT APEC HAS ALREADY DONE

- Extensive cooperation program is underway including Partner for Progress (PFP) training programs on industrial property rights in 1996-98 and various symposia on IPR. An APEC/ABAC Joint Symposium on IPR was held in February 1999 in Fukuoka.
- Some members have already implemented TRIPS and others are in the final stage of doing so. Members have agreed to a framework proposed by Korea for additional bilateral technical cooperation to implement TRIPS (which supplements existing collective efforts).

WHAT APEC PLANS TO DO

- Central registry is a long-term objective to be pursued stepwise. Information exchange on the protection of well-known trademarks and IPR administrative systems could be a step forward.
- Cooperation will continue with a PFP training program on Industrial Property Rights.
- All members are expected to implement TRIPS by 2000. Members will implement the framework for additional technical cooperation. Korea held a technical cooperation symposium in June 1999 to assist TRIPS implementation, taking the replies to the checklist on the TRIPS Agreement into consideration. Members will also examine the possibility of further improving IPR systems after full TRIPS implementation.

STANDARDS AND CONFORMANCE

ABAC RECOMMENDATION

- APEC economies should align their national standards with international standards in the priority sectors identified by APEC.

- APEC should establish an

WHAT APEC HAS ALREADY DONE

- Identified priority areas for alignment work: electrical and electronic appliances (air-conditioner, TV, refrigerator, radio and its parts, and video apparatus), food labeling, rubber gloves and condoms, and machinery.
- Agreed to align members' standards on electrical and electronic equipment with international standards in respect of safety and electromagnetic compatibility by 2004/2008.
- Published a guide for alignment of APEC member economies' standards with international standards.
- Published a progress report (Voluntary Action Plan Report) on implementation of alignment with international standards in priority areas.
- Submitted through PASC, the proposed draft revision of ISO/IEC Guides 3 and 21 on method of indicating equivalence of standards with international standards to ISO for consideration.
- Cooperated in international standardization activities (ISO/IEC) and established ad hoc technical groups in the areas of:
 - Loading and structural design standards
 - Timber standards
 - Performance-based housing standards
 - Hazardous area equipment
- Transport WG held an International Vehicle Standards Harmonization Seminar, April 1998 in Mexico City, which was well attended by business representatives.
- The Marine Resources Conservation WG is conducting a project to establish the scientific and regulatory infrastructure sufficient to certify that seafood products are safe with respect to algal toxins, using procedures and standards acceptable to all economies in the region.

- Accreditation bodies in six member

WHAT APEC PLANS TO DO

- Alignment is to be achieved in the priority areas by 2000/2005, though economies have committed to try to accelerate this timetable.
- Interested member economies are participating in ad hoc technical groups that will prepare input into the ISO/IEC international standards development process.
- Transport WG will promote adoption of ICAO and IMO standards, regulations and safety measures.
- The MRC WG will continue the MRT/HAB project to make recommendations to APEC economies on the testing of seafood safety and certification programs in regard to algal toxin.

- As directed by Energy Ministers,

internationally-recognized testing accreditation mechanism by 1998.

economies were the initial signatories to the Asia-Pacific Laboratory Accreditation Cooperation Mutual Recognition Arrangement in November 1997. APEC Ministers have encouraged participation by additional member economies in APLAC-MRA.

EWG is developing common or comparable energy performance test standards and a common framework for recognition of Laboratory test results.

- APEC economies should adopt mutual recognition agreements in the priority areas identified by APEC within the regulated sectors by 1998.
- APEC Food MRA became operational August 1997; five economies now participate. Twelve economies participate in the APEC Arrangement for the Exchange of Information on Toy Safety.
- Telecommunications Ministers in 1998 endorsed an MRA for telecommunications equipment to take effect in July 1999. Ten economies have indicated their readiness to begin implementation in late 1999.
- SCSC has begun work on an MRA for Electrical and Electronic Equipment and agreed on the part dealing with information exchange.
- Energy Ministers endorsed a standards notification procedure for energy efficiency testing procedures in October 1998.
- Transport Ministers adopted a model MRA on automotive products in 1997.
- SCSC will continue to identify additional priority areas for MRAs in the regulated sector.
- SCSC will develop the full text of the MRA for Electrical and Electronic Equipment in 1999.
- In 1999 EWG's Steering Group on Energy Standards will implement the standards notification procedures. It will establish links to a dedicated subdirectory of the EWG website and those of participating member economies.

PROFESSIONAL STANDARDS

ABAC RECOMMENDATION

- APEC should convene in 1998 a regional conference on mutual recognition of professional credentials within APEC economies.

WHAT APEC HAS ALREADY DONE

- No direct action to date. However, HRD WG is implementing a project called Towards Mutual Recognition of Qualifications that aims to facilitate mutual recognition of selected professional qualifications. Phase 1 collected information on members' professional recognition requirements in accountancy, engineering and surveying. Phase 2 developed criteria for recognition of an APEC engineer (using a best practices approach), a mutual agreement framework and student exchange programs.

WHAT APEC PLANS TO DO

- Proposed Phase 3 of the HRD project would seek to establish an APEC Engineer Register and encourage licensing authorities to allow mutual exemption for engineers on it. A workshop for regulatory authorities will be held in February 2000.
- The TPT-WG STCW training for seafarers project aims to increase the harmonization (and therefore mutual recognition) of professional credentials by ensuring adherence to internationally accepted norms,

such as those of the IMO.

- TPT-WG will seek funding for a project aimed at increasing the mutual recognition of professional qualifications in the transport industry.

SERVICES

ABAC RECOMMENDATION

- APEC should formulate collective action plans addressing major issues concerning trade in services that apply across all service industries, such as: the relaxation of foreign ownership restrictions on service firms; and the removal of restrictions on commercial presence of foreign service firms.

WHAT APEC HAS ALREADY DONE

- GOS adopted a services CAP in 1997 that includes actions to identify measures affecting trade and investment in all services sectors.
- GOS held a training seminar in May 1998 in China to raise understanding of trade in services and needed facilitation work in line with business priorities.

WHAT APEC PLANS TO DO

- GOS will develop an APEC Directory of Professional Services detailing member economies' requirements for provision of such services. Phase I covers accountancy, engineering and architecture.

COMPETITION POLICY AND DEREGULATION

ABAC RECOMMENDATION

- APEC should consider the views of business in its approach to competition policy and deregulation. In particular, ABAC will want to provide input on the following issues:
 - the forms of private sector conduct which should be prohibited on the grounds that they work against the competitive process and have no redeeming features;
 - the treatment of utilities and natural monopolies;
 - the relationship between competition policy and anti-dumping;
 - the constitution of adequate competition law; and

WHAT APEC HAS ALREADY DONE

- Four workshops have been held since 1995 on diverse competition policy issues, including the objectives of and mechanisms for implementing CP, the relationship between CP deregulation, legal aspects, natural monopolies, anti-dumping, and trade policy linkages.
- The APEC Competition Policy and Law Database was completed in February 1998.
- Annual APEC/PFP Competition Policy Training Courses raise officials' expertise in competition law and policy.
- A public/private sector symposium on regulatory reform was held in September 1998 in Malaysia that drew together themes and principles of regulatory reform in APEC.

WHAT APEC PLANS TO DO

- Priority work for 1999 includes: development of principles for competition and regulatory reform, in association with PECC; strategies for capacity building and institutional development; and completion of a study on the advantages and disadvantages of competition law for developing economies.

- the identification of key regulatory and other barriers to effective competition.

INFRASTRUCTURE INVESTMENT

ABAC RECOMMENDATION

- APEC economies should make possible a sectoral approach to investment liberalization for infrastructure through an Infrastructure Investment Initiative (III), which applies certain investment protection principles on a sectoral basis to infrastructure projects.

WHAT APEC HAS ALREADY DONE

- APEC Finance Ministers agreed in 1997 on Voluntary Principles for Facilitating Private Sector Participation in Infrastructure in which member economies undertook “to introduce necessary steps, where appropriate, to put in place a framework to provide a high level of investor protection...”
- The November 1997 Vancouver Framework for Enhanced Public-Private Partnerships in Infrastructure Development reaffirmed these principles and called for action to improve capacities in various areas.
- APEC Energy Ministers endorsed in 1997 the principles in the Manual of Best Practice Principles for Independent Power Producers (IPPs) aimed at facilitating private investment in power infrastructure.
- Energy Ministers in October 1998 adopted a series of recommendations aimed at establishing a low-risk environment to encourage private investment in natural gas infrastructure, supplies and trading systems.
- EWG held an energy infrastructure investment workshop in the USA in April 1999. Business people helped EWG examine the initiatives on natural gas, best practice principles for IPPs, and environmentally sound infrastructure in terms of practical action.
- Energy Ministers in 1998 endorsed a work program to advance EWG recommendations to promote the uptake of environmentally sound infrastructure.
- TEL WG has finalized the APEC Interconnection Framework (for Telecommunications Networks),

WHAT APEC PLANS TO DO

- The Economic Committee’s Infrastructure Workshop encourages regulatory transparency and best practice in the development of infrastructure projects.
- EWG will progress the Natural Gas Initiative in 1999, with input from the EWG Business Network and the Energy Regulators’ Forum, to develop an action strategy to help economies implement the recommendations.

which aims to support secure and competitive supply of services to users in an environment of certainty that gives investors confidence in the development of existing and new networks.

TAXATION ISSUES

ABAC RECOMMENDATION

- APEC should set the goal of 2010 as a target date when consistent bilateral treaties should be executed and effective between 153 pairs of APEC economies. APEC economies should announce their individual targets for arriving at bilateral tax treaties in their IAPs.

WHAT APEC HAS ALREADY DONE

- Finance Ministers in May 1998 encouraged officials to expand coverage of bilateral tax treaties in conformity with international norms.

WHAT APEC PLANS TO DO

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