

出國報告(出國類別：開會)

出席「APEC 服務貿易法規環境衡量  
指標(APEC Index)先導計畫研討會」  
出國報告書

服務機關：經濟部國際貿易局

姓名職稱：卓立敏 專員

派赴國家：越南河內

出國期間：108年7月22日至25日

報告日期：108年8月30日

## 摘要

「APEC 服務貿易法規環境衡量指標(APEC Index)先導計畫研討會」於 7 月 22 日至 23 日在越南河內舉行，由美國政府自費辦理，盼提升 APEC 經濟體利用經濟合作發展組織(OECD)服務貿易限制指數(STRI)分析服務業法規環境的能力；此研討會係接續去(107)年於菲律賓馬尼拉舉辦「APEC 評估服務業環境之資料蒐集技巧能力建構研討會」之成果，並呼應 APEC 服務業競爭力路徑圖(ASCR)第 13 項行動計畫「發展服務業統計資料以衡量路徑圖執行成效」。

本次會議共有 12 個經濟體參與，包含澳洲、智利、中國大陸<sup>1</sup>、印尼、韓國、馬來西亞、墨西哥、秘魯、巴紐、新加坡、越南及我國，APEC 政策支援小組、APEC 秘書處、OECD、WTO 及新加坡國立大學亦派員出席，總計 31 人。活動全程委由美國亞洲經濟成長支援計畫(US-Support for Economic Growth in Asia, US-SEGA)負責執行，席間由美國貿易代表署(USTR)服務貿易談判組長 Mr. Todd Nissen 開幕致詞，WTO 秘書處、OECD 與 APEC 經濟體專家擔任講者。本次研討會為期 2 日，我國中華經濟研究院 WTO 及 RTA 中心李淳副執行長亦應邀出席擔任講者。

本研討會的目的係加強經濟體工作階層官員評估 APEC Index 先導計畫優先業別(即電信、電腦、配銷及物流倉儲)服務業法規之能力，會議第一天主要說明 APEC Index 計畫發展情形，嗣由先導計畫自願經濟體(即智利、越南、秘魯及我國)進行經驗分享，並討論 4 個優先業別之競爭障礙；第二天由 OECD 簡報其支援 APEC Index 先導計畫之相關工作，並介紹 OECD STRI 資料庫之應用。美方並於活動結束時總結表示，OECD STRI 具備透明度高、合法性、可及性、可比性、能力建構等特性，係一資源充沛之資料庫。

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<sup>1</sup> 出席代表為商務部國際貿易經濟合作研究院世界經濟研究所顧寶志副主任及其同事

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## 壹、會議時間

108 年 7 月 23 日至 24 日。

## 貳、會議地點

越南河內希爾頓歌劇院酒店一樓會議室。

## 參、會議目的

本研討會係為提升 APEC 經濟體工作層級官員利用 OECD STRI 分析服務業法規環境的能力，此次活動係接續 2018 年於菲律賓馬尼拉舉辦「APEC 評估服務業環境之資料蒐集技巧能力建構研討會」之成果，並呼應 APEC 服務業競爭力路徑圖(ASCR)第 13 項行動計畫「發展服務業統計資料以衡量路徑圖執行成效」。

## 肆、會議議程

APEC 服務貿易法規環境衡量指標(APEC Index)先導計畫研討會議程

| 2019 年 7 月 23 日(星期二) |   |
|----------------------|---|
| 09:00 – 09:20        | 開場致詞:美國貿易代表署(USTR)服務貿易談判組長 Mr. Todd Nissen。   |
| 09:20 – 09:30        | 活動說明: 美國亞洲經濟成長支援計畫(US-SEGA) Ms. Nadira Mailewa。   |
| 09:30 – 10:30        | <b>第 1 場次 APEC 服務貿易政策指導</b><br>本場次討論「APEC 服務業競爭力路徑圖(ASCR)」所聚焦之服務貿易政策，以及 APEC Index 執行情形。<br>講者 1：韓國 APEC 技術專家小組代表 Jongduk Kim 博士(韓國智庫 KIEP)<br>講者 2：APEC 政策支援小組(PSU)分析師 Mr. Andre Wirjo |

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| 10:30 – 10:45 全體合照   |
| 10:45 – 11:15 中場休息   |
| <p>11:15 – 12:30</p> <p><b>第 2 場次 先導計畫自願經濟體經驗分享</b></p> <p>本場次由 APEC Index 先導計畫自願經濟體就蒐集服務貿易資訊以及運用 OECD STRI 評分指標所面臨之挑戰進行經驗分享。</p> <p>主持人：USTR 服務貿易談判組長 Mr. Todd Nissen<br/> 與談人 1：智利服務及投資專家 Mr. Oscar Douglas<br/> 與談人 2：中華經濟研究院 WTO 及 RTA 中心李淳副執行長<br/> 與談人 3：越南工貿部多邊貿易政策司副司長 Mr. Ngo Chung Khanh<br/> 與談人 4：秘魯電信私人投資監管機構(OSIPTTEL)專家 Marcos Zacarias</p> |
| 12:30 – 13:45 午餐   |
| <p>13:45 – 14:45</p> <p><b>第 3 場次 物流倉儲及配銷服務業的競爭障礙</b></p> <p>本場次旨在討論物流倉儲及配銷服務業對服務及貨品貿易之關鍵投入，並探討電子商務、零售許可、跨境配銷服務及外資限制之競爭障礙。</p> <p>講者 1：Expeditors(美國物流公司)越南分處長 Mr. Michael Mooney<br/> 講者 2：新加坡國立大學亞太物流研究所執行長 Dr. Robert de Souza</p>  |
| 14:45 – 15:15 中場休息   |
| <p>15:15 – 16:15</p> <p><b>第 4 場次 電腦及電信服務業之競爭障礙</b></p> <p>本場次將探討電腦及電信服務業之政策環境，以及市場進入限制。</p> <p>講者 1：WTO 服務貿易及技術處參事 Ms. Lee Tuthill<br/> 講者 2：秘魯 OSIPTTEL 財務協調員 Marvin Padilla</p>   |
| 16:15 – 16:45 重點討論   |

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| 16:45 – 17:00 總結   |
| <b>2019 年 7 月 23 日(星期二)</b>  |
| 09:00 – 09:10<br>開場 US-SEGA 回顧昨日課程   |
| 09:10 – 09:35<br><b>第 5 場次 OECD 支援 APEC Index 先導計畫執行工作</b><br>OECD 簡介 STRI 指標在 APEC 經濟體執行情形，以及 STRI 相關工具。<br>講者 1：OECD 服務貿易組長 Mr. John Drummond<br>講者 2：OECD 貿易政策分析師 Mr. Janos Ferencz |
| 9:35 – 10:35<br><b>第 6 場次 OECD STRI 模擬練習</b><br>介紹 OECD STRI 政策模擬器之使用方式，並請與會者實地演練。<br>講者：OECD 貿易政策分析師 Mr. Janos Ferencz  |
| 10:35 – 11:00 中場休息   |
| 11:00 – 12:00<br><b>第 6 場次 OECD STRI 模擬練習(續)</b><br>介紹 OECD STRI 政策模擬器之使用方式，並請與會者實地演練。<br>講者：OECD 貿易政策分析師 Mr. Janos Ferencz  |
| 12:00 – 12:20 下一步：USTR 服務貿易談判組長 Mr. Todd Nissen  |
| 12:20 – 12:30 總結   |

## 伍、 會議過程

### 一、 開幕致詞

本次研討會由美國貿易代表署(USTR)服務貿易談判組長 Mr. Todd Nissen 致歡迎詞。N 組長指出 FTAs 對服務貿易的價值難以量化衡量，並以美國國際貿易委員會 2019 年 4 月發布之「USMCA 對美國經濟及特定產業部門影響(U.S.-Mexico-Canada Trade Agreement: Likely Impact on the U.S. Economy and on Specific Industry Sectors)」研究報告為例，該報告使用 OECD 服務貿易限制指數(STRI)作為分析工具之一，用以衡量資料移轉限制所產生之成本，並為 FTA 條款對整體經濟、服務業、製造業及農業等部門之影響提供量化參考。

N 組長續說明美國對服務貿易非常重視，並指出 OECD STRI 有助於量化法規條款對跨經濟體及部門別之影響。此研討會係接續 2017 年馬來西亞舉辦之「APEC 服務業貿易指標資料研討會」及 2018 年菲律賓舉辦「APEC 評估服務業環境之資料蒐集技巧能力建構研討會」之成果，期盼與會官員在 2 天研討會後都能滿載而歸，學以致用。

### 二、 場次 1：APEC 服務貿易政策指導

(一) 韓國 APEC 技術專家小組代表 Jongduk Kim 博士(韓國智庫 Korea Institute for International Economic Policy, KIEP)說明服務業自由化對外人直接投資之影響：

1. APEC STIR 計畫進度：APEC Index 第 2 次技術專家會議決議以 OECD STRI 作為先導計畫衡量指標，並選定配銷、電腦、電信、物流倉儲為優先業別，自願參與先導計畫之經濟體為智利、我國、秘魯及越南。

2. OECD STRI 涵蓋 22 個服務業部門及 45 個經濟體(其中 12 個為 APEC 會員)，自 2014 年起每年更新數據。
3. 依據 K 博士統計分析結果顯示，STRI 指數(數值越高代表限制越多)與外人直接投資(包含對內與對外)呈現負相關，顯示服務業法規自由化對吸引外資有正面影響。
4. 建議未來發展 APEC Index 可考量納入更多 APEC 會員體專家，並將自由貿易協定(FTA)納入指標。此外可考量提供開發中會員技術協助。

(二) APEC 政策支援小組(PSU)分析師 Andre Wirjo 說明 ASCR 及 APEC Index 執行情形：

1. 服務貿易在亞太地區重要性：APEC 共有 17 個經濟體服務業占 GDP 比重超過 5 成，整個亞太地區服務業占 GDP 比重接近 2/3。APEC 商業服務業出口在 2006-2015 年間成長了一倍，在 2015 年約占全球 4 成。APEC 之計畫提案超過 5 成都與服務業有關。
2. APEC PSU 近年與服務業相關研究報告包含：服務業、製造業和生產力的關聯 (Linkage between services, manufacturing and productivity)、與製造業相關服務業(Manufacturing-related services)、服務業的結構改革(Structural reform and services)、數位貿易便捷化促進包容性成長(Facilitating digital trade for inclusive growth)
3. 服務業競爭力路徑圖(APEC Services Competitiveness Roadmap, ASCR)：2015 年領袖會議通過「APEC 服務業合作架構(APEC Services Cooperation Framework, ASCF)」，作為 APEC 推動服務業之指導方針。2016 年領袖會議採認 ASCR 及其執行計畫 (Implementation Plan)，目前共有 19 項跨論壇之整體行動。

4. APEC Index 先導計畫採用雙軌方式執行，亦即使用 OECD STRI 作為基礎指標進行資料蒐集，同時就 APEC 特定要素(specific elements) 進行討論，期使 APEC Index 具亞太地區特性。

先導計畫自願經濟體及涵蓋業別：

### [Volunteer economies and sector coverage]

|                | Distribution | Computer | Telecommunications | Logistics (storage and warehouse) |
|----------------|--------------|----------|--------------------|-----------------------------------|
| Chile          | ✓            |          | ✓                  |                                   |
| Peru           | ✓            | ✓        | ✓                  | ✓                                 |
| Chinese Taipei | ✓            | ✓        | ✓                  | ✓                                 |
| Viet Nam       | ✓            | ✓        |                    | ✓                                 |

## 三、 場次 2：先導計畫自願經濟體經驗分享

- (一) 智利服務及投資顧問 Mr. Oscar Douglas、中經院李淳副執行長、越南工貿部多邊貿易政策司副司長 Mr. Ngo Chung Khanh 及秘魯電信私人投資監管機構(OSIPTEL)專家 Marcos Zacarias 分享各國蒐集服務貿易資料時遭遇之挑戰，包含只能使用模式三(商業據點呈現)統計資料、缺乏可靠資料來源、缺乏雙邊服務貿易統計資料、難以評估 FTAs 對服務貿易之影響，以及 OECD STRI 評分指標對應國內相關法規之困難度高等。
- (二) D 顧問另分享智利在 OECD STRI 各項業別的評分(按，智利係自願經濟體中唯一已加入 OECD STRI 的國家)，並指出 STRI 有助經濟體瞭解影響服務貿易之法規措施。
- (三) 李副執行長分享中經院於 2014 年自行依據 OECD STRI 之評量方法評估電腦服務業在 APEC 經濟體之排名，結果顯示自然人移動限制項目排名較低；但我國近 2 年已修法鬆綁外籍白領來臺工作限制，應有助改善該項目評分結果。

## 四、 場次 3：物流倉儲及配銷服務業之競爭障礙

(一) Expeditors 越南分處長 Mr. Michael Mooney：

1. 越南物流業面臨之挑戰主要在於基礎建設不足；此外，在同業競爭壓力下(約有 4 千家業者)，倉儲供給過剩，亦缺少資訊交流平台。
2. 物流及配銷業的最佳政策實踐包含建立現代化的海關保稅系統、自由貿易區、調高微量豁免金額以及擴展信任貿易夥伴制度(如 AEO、C-TPAT)。

(二) 新加坡國立大學亞太物流研究所執行長 Dr. Robert de Souza 表示未將物流倉儲及配銷視為不同業別，並指出海關和交通延遲等邊境障礙(商品分類定義不清、審查時間)是需要倉儲的主因，簽署 FTAs 可改善此類障礙，且可加速進入市場之時間、減少基礎建設以及維修成本。歐盟為減少邊境障礙的最佳實踐，因為會員間之邊境已實質移除。

## 五、 場次 4：電腦及電信服務業之競爭障礙

(一) WTO 服務貿易及技術處參事 Ms. Lee Tuthill 簡報資通訊業之國際法規架構及貿易障礙：

1. 資通訊業之國際法規架構包含：WTO 服務貿易協定、電信附則、電信參考文件、電商談判；
2. 資通訊業之貿易障礙包含：資料屏蔽、資料過濾、歧視性法規、資料在地化、商業據點要求等；
3. 區域貿易協定(RTAs)之資通訊業規範包含：擴展電信法規原則到所有電信服務業(不限於基礎設施)、電子商務原則(數位產品免徵關稅、資料流通條款、電子商務法規架構等)、改善並擴展電信及電腦服務業之市場進入承諾(亦包含郵遞/快遞)。

(二) 秘魯 OSIPTEL 財務協調員 Marvin Padilla 分享該國改善電信業競爭環境的經驗及挑戰：秘魯電信業過去 10 年間成長快速，GDP 占比從 3% 成長至 5%，投資及收入穩定成長，家戶網路普及率也逐年提升，2018 年已達 73%，電信業者則由 2 家獨大成長到 4 家。另外在號碼可攜性、固定及行動網速、網路收費等方面都有顯著增長。

## 六、 場次 5：OECD 支援 APEC Index 先導計畫執行工作

(一) OECD 服務貿易組長 Mr. John Drummond 簡介 STRI 指標在 APEC 經濟體執行情形：

1. 先導計畫目前以雙軌方式進行，OECD 已耗時 6 個月蒐集基礎指標資料，將於本(2019)年 8 月 APEC 資深官員會議期間召開之第 4 次技術專家小組會議公布初步結果。
2. OECD 將依據 4 項優先業別(物流倉儲、配銷、電腦及電信)之 5 項限制措施評分指標(外資進入、自然人移動、其他歧視措施、競爭障礙、法規透明化)進行分析。
3. 執行情序：(1)技術專家小組決定先導計畫執行內容、(2)蒐集公眾可及的法規資料進行理論研究、(3)將彙整後之法規資訊提供給會員體確認(正確比例通常可達 65~70%)、(4)依據核實後之法規進行初步評分、(5)依據評分結果諮詢會員體意見、(6)通常每年 8、9 月間會與經濟體確認是否有更新法規。
4. OECD STRI 目前已涵蓋 APEC 12 個會員(澳洲、加拿大、智利、中國大陸、印尼、日本、韓國、馬來西亞、墨西哥、紐西蘭、俄國、美國)，另有 3 個會員(秘魯、新加坡、泰國)刻正進行分析，2 個會員(汶萊、菲律賓)進行部分業別分析，4 個會員(智利、秘魯、越南、我國)進行先導計畫，亦正與香港進行接洽。

5. **STRI** 指標的貢獻包含：法規資料庫、貿易障礙評分指標、追蹤法規改革、評估改革效果、經濟體及區域法規分析等。在 2014-2018 年間，印度、中國大陸及印尼為法規改善數量最多之經濟體。

(二) OECD 貿易政策分析師 Janos Ferencz 簡介 **STRI** 相關工具：

1. **STRI** 工具包含(1)法規資料庫、(2)經濟體比較工具、(3)政策模擬器、(4)手機 APP、(5)總體經濟及部門別資訊、(6)研究報告。
2. 5 項評分指標會因業別不同而有權重及部門別差異性，利用 **STRI** 政策模擬器可有效提供改善政策之參考，並與其他會員體進行比較。
3. 秘魯代表詢及 **STRI** 評分權重如何決定？是否有可能調整？F 分析師表示權重係由各領域專家決定，倘未來針對 APEC 特定要素作成決定，或可據以調整 APEC Index 權重。

## 七、 場次 6 及 7：OECD **STRI** 模擬練習

(一) F 分析師引導與會者上網操作 **STRI** 政策模擬器，針對先導計畫優先業別進行實地演練(網址：<https://sim.oecd.org/>)。

(二) 4 項優先業別主要 **STRI** 措施如下：

1. 電腦服務業：外資進入(外資持股上限、法人型態、董事及經理人限制等)、自然人移動(配額限制、勞動市場測試、停留時間、外國資格認許)、其他限制措施(租稅、政府採購)、競爭障礙(上訴及補救、規費設定、最低資本要求、廣告限制)、法規透明化。

2. 電信服務業：主要集中在競爭障礙，包含普及服務義務<sup>2</sup>合約是否在競爭基礎上分配、號碼可攜性、允許頻譜次級交易、國際漫遊之批發零售費用受到監管、互連要求等。
3. 配銷服務業：外資進入(配銷執照有配額或經濟需求測試、分區規則歧視外國供應商等)、其他歧視措施(商標保護歧視外國企業、產品預先包裝有名目數量限制、線上稅務登記和申報開放給外國人使用)、競爭障礙(價格及費用受到監管、跨境交易合約規則偏離國際標準)、法規透明化(執照係根據公開標準分配、執照有效期限及更新之限制、通關時間、進口貨物預先清關等)。
4. 物流業：外資進入(法定壟斷或專門授予、執照有配額或經濟需求測試)、其他歧視措施(倉儲設施之取得有歧視性標準、包裝標準與國際標準不符)、競爭障礙(服務提供合約係透過競爭性招標、倉儲設施之營業工時有限制)、法規透明化(運輸人員的簽證效期、落地簽或免簽、多次入境簽證、通關時間、進口貨物預先清關等)

(三) 馬來西亞代表詢及 STRI 無法反映會員體間 RTA/FTA 特性，F 分析師表示 STRI 係以最惠國待遇為基礎進行評分，惟亦可針對會員體間協定另行設計可比較的指標，例如 OECD 為歐盟經濟區(EEA)設計之 intra-EEA STRI 資料庫。

## 八、 USTR 服務貿易談判組長 Mr. Todd Nissen 總結

(一) OECD STRI 具備透明度高、合法性、可及性、可比較性、能力建構等特性，係一資源充沛之資料庫。

(二) APEC Index 先導計畫預計本年 11 月到 2020 年 3 月完成基礎資料蒐集，2020 年 8 月 APEC 資深官員會議(SOM)期間簡報計畫成果。

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<sup>2</sup> The Universal Service Obligation (USO) is a long-standing consumer protection that ensures everyone has access to landline telephones and payphones regardless of where they live or work.

## 陸、 綜合觀察及建議

- 一、 本次研討會旨在增進與會者對服務貿易相關數據之蒐集與分析能力、學習如何使用 OECD 工具評估法規限制程度與有效性、提升服務市場自由化及競爭力之意識。研討會歸結出目前對於建立完善 APEC Index 之挑戰，包含缺乏數據或所蒐集數據品質不佳、受調國缺乏跨部會整合及交流，導致對未來趨勢難以預測且影響評估難以進行等。
- 二、 本次會議出席者多針對 OECD STRI 進行技術性交流，曾就 APEC Index 直接採用 STRI 指標持保留態度的陸方未在此次會議表示意見。我方與美國 N 組長就發展 APEC 特定要素交換意見時，皆認為考量 APEC Index 應具備區域外可比較性，直接使用 OECD STRI 指標及其權重較為可行；N 組長並表示尚有其他方式可使 APEC Index 具備亞太區域特性，不一定需要調整 STRI 評分權重。
- 三、 據 OECD 服務貿易組長 Mr. Drummond 說明，多數 APEC 會員體已參與 OECD STRI 指標，顯見 OECD 亦有意將所有會員體皆納入 STRI 資料庫。我國亦應持續支持 APEC Index 提案，盼以先導計畫為基礎，陸續擴充到全部經濟體及業別。除有助我國自我檢視服務業法規限制程度外，亦可參考其他會員體法規，有助於進一步瞭解我服務出口之潛在商機。
- 四、 本次活動計有 12 個經濟體出席，9 個經濟體未派員出席。APEC 有關服務貿易統計之能力建構活動，每年至少舉辦 1 次，如印尼已提案於 2020 年上旬辦理模式 3 投資統計研討會，建議我國應持續派員出席，並鼓勵其他部會同仁參與，除能透過討論交流了解其他國家對相關議題的看法及立場外，亦對同仁的專業知識與能力建構培養有助益。



## Introduction: Progress of the APEC STRI Project

- ▶ The OECD STRI provides indices for 22 services sectors' degrees of liberalization.
- ▶ The OECD STRI are provided for 45 economies including 37 OECD members and eight other economies (Brazil, China, Costa Rica, India, Indonesia, Malaysia, the Russian Federation, and South Africa).
- ▶ Eleven APEC economies are included.
- ▶ Laws and regulations of participating economies are databased.
- ▶ Annually updated since 2014



## Introduction: Services in Economy

Importance of services has grown fast in developing and developed economies alike as the global economy has industrialized further.

- ▶ Services account for about 65% globally. In general, the richer an economy is the higher the services share is.
- ▶ Services in trade have grown fast too. While the growth of trade since the Great Recession in 2008 has been staggering, services trade has shown resilient growth.
- ▶ FDI has played a role in establishing global production networks.



Figure: Services share in GDP (% , World, WB)

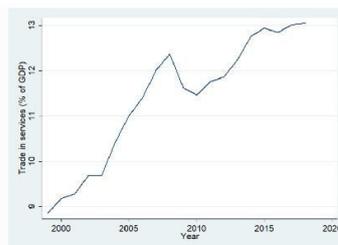


Figure: Trade in Services (% , World, WB)

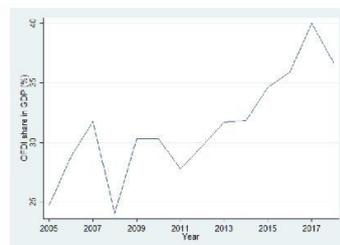


Figure: ODI in GDP (% , World, OECD)



## Services Liberalization and IFDI

Does further liberalization attract more foreign direct investment?

- ▶ The figures shown below are the relationship between average STRIs (over 22 sectors) and inward FDI (stock) in 2016.

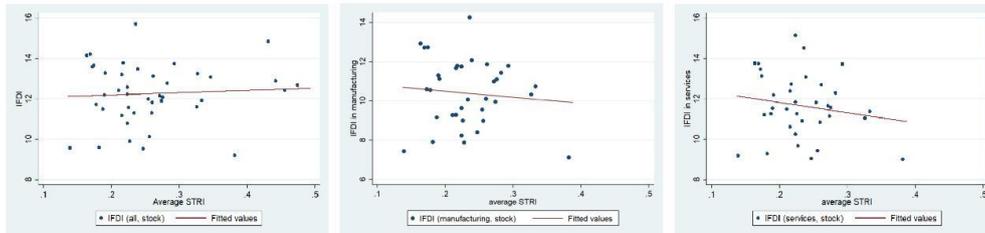


Figure: IFDI (all)

Figure: IFDI (mfg.)

Figure: IFDI (serv.)

Navigation icons: back, forward, search, etc. 5 / 9

## Services Liberalization and IFDI: Analysis

Correlations between services liberalization (in terms of STRI) and unilateral inward FDI (stock) in 2016 are provided.

- ▶ Based on principal component analysis (pca) method, STRIs of 22 sectors are reduced in 5 factors in dimension.
- ▶ IFDI is negatively correlated with STRIs.

Table: STRI and Inward FDI of OECD Economies (Unilateral)

|         | (1)<br>IFDI (all) | (2)<br>IFDI (mfg)         | (3)<br>IFDI (serv)          |
|---------|-------------------|---------------------------|-----------------------------|
| ln(GDP) | 0.823** (10.00)   | 0.618** (6.46)            | 0.600** (7.75)              |
| STRI1   | -0.0447 (-0.34)   | -0.228 (-0.52)            | -0.463 <sup>+</sup> (-1.71) |
| STRI2   | -0.0866 (-1.14)   | 1.063* (2.30)             | 0.288 (0.81)                |
| STRI3   | -0.0709 (-1.41)   | -2.106** (-2.71)          | -1.016 (-1.63)              |
| STRI4   | -0.449** (-5.40)  | -0.0488 (-0.23)           | -0.184 (-1.29)              |
| STRI5   | -0.441** (-4.50)  | -0.452* (-2.16)           | -0.623** (-4.02)            |
| CONS    | 1.287 (1.04)      | 2.256 <sup>+</sup> (1.68) | 3.503** (3.24)              |
| N       | 35                | 28                        | 28                          |

t statistics in parentheses

<sup>+</sup>  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$

Navigation icons: back, forward, search, etc. 6 / 9

Bilateral relationship between outward FDI and STRIs of origination and destination economies.

- ▶ Negative relationships remain consistently.
- ▶ Coefficients of both STRIs of origination (rSTRI) and destination (pSTRI) economies are negative.
- ▶ Results for FTAs are inconsistent and require further investigation.

Table: STRI and Outward FDI of OECD Members (PCA)

|          | (1)<br>OFDI      | (2)<br>OFDI               |
|----------|------------------|---------------------------|
| FTA      | -0.750** (-3.41) | -0.753 (-1.57)            |
| rSTRI1   |                  | -0.184 (-1.37)            |
| rSTRI2   |                  | -0.321* (-2.18)           |
| rSTRI3   |                  | -0.547** (-4.31)          |
| rSTRI4   |                  | -0.173 (-1.10)            |
| pSTRI1   |                  | -0.263* (-2.47)           |
| pSTRI2   |                  | 0.587 <sup>+</sup> (1.77) |
| pSTRI3   |                  | -0.489** (-3.15)          |
| pSTRI4   |                  | -0.318* (-2.37)           |
| <i>N</i> | 278              | 222                       |

*t* statistics in parentheses

<sup>+</sup>  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$



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Table: Sectoral STRI and Outward FDI of OECD Members

|             | (1)<br>ofdi_adj             | (2)<br>ofdi_adj  | (3)<br>ofdi_adj  | (4)<br>ofdi_adj  |
|-------------|-----------------------------|------------------|------------------|------------------|
| FTA         | -0.684** (-2.61)            | -0.732** (-2.94) | 0.308 (0.56)     | -0.723** (-3.03) |
| rDS_STRI    | -2.182 (-0.96)              |                  |                  |                  |
| pDS_STRI    | -9.582** (-3.24)            |                  |                  |                  |
| rCS_STRI    |                             | -5.492* (-2.37)  |                  |                  |
| pCS_STRI    |                             | -11.25** (-5.31) |                  |                  |
| rTC_STRI    |                             |                  | -10.27* (-2.24)  |                  |
| pTC_STRI    |                             |                  | -5.632** (-4.80) |                  |
| rLSSTG_STRI |                             |                  |                  | -3.120 (-1.44)   |
| pLSSTG_STRI |                             |                  |                  | -10.95** (-5.44) |
| CONS        | -5.427 <sup>+</sup> (-1.82) | -4.574 (-1.35)   | -3.247 (-0.90)   | -8.893** (-2.80) |
| <i>N</i>    | 278                         | 278              | 278              | 278              |

*t* statistics in parentheses

<sup>+</sup>  $p < 0.10$ , \*  $p < 0.05$ , \*\*  $p < 0.01$



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## Discussion

- ▶ APEC-relevant STRI (i.e. more experts from APEC members)
- ▶ FTAs in the STRI
- ▶ more measures in services trade facilitation
- ▶ technical assistance to developing economies

 **Asia-Pacific  
Economic Cooperation**

# APEC Services Competitiveness Roadmap (ASCR) and APEC Index

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APEC Policy Support Unit  
23-24 July 2019 • Ha Noi, Viet Nam

**Advancing Free Trade  
for Asia-Pacific Prosperity**

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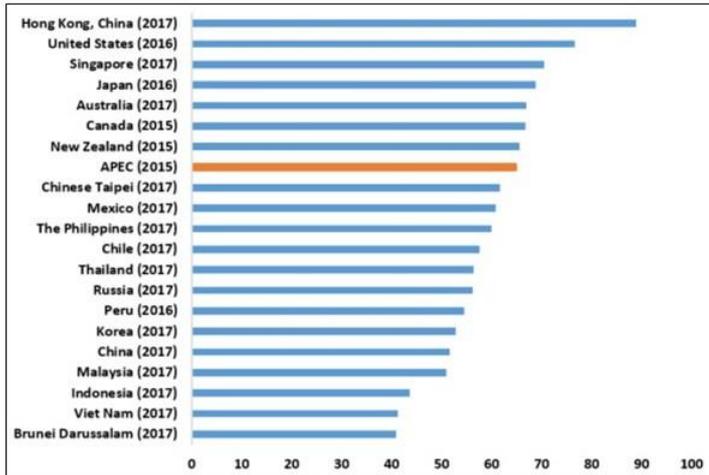


## Services in our daily lives



## Importance of services in APEC

Share of services in GDP of APEC economies



Note: Data excludes Papua New Guinea

Source: PSU calculations, World Bank World Development Indicators (WDI) (<http://data.worldbank.org/indicator/NV.SRV.TETC.ZS>), and Chinese Taipei's National Statistics (<http://eng.stat.gov.tw/ct.asp?xitem=37408&CtNode=5347&mp=5>), accessed 25 June 2019.



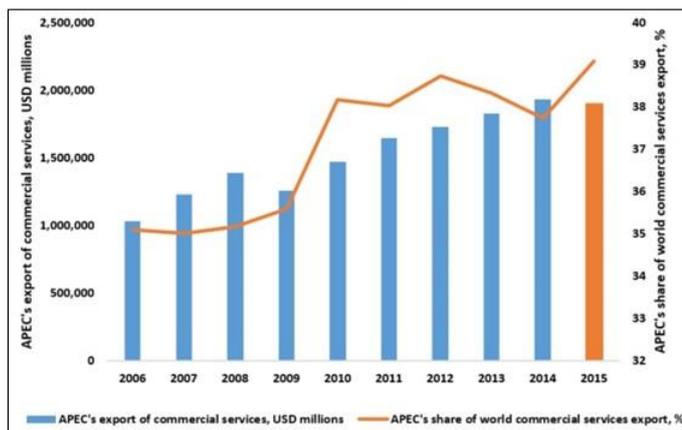
- 17 economies have services share of GDP exceeding 50 percent.

- Services share for APEC as a whole is close to two-thirds of GDP.

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## Importance of services in APEC

APEC's export of commercial services and its share of world commercial services export, 2006-2015



Source: PSU calculations, and World Trade Organization (WTO) Time Series (<http://stat.wto.org/StatisticalProgram/WSDStatProgramSeries.aspx?Language=E>), accessed 20 April 2017.



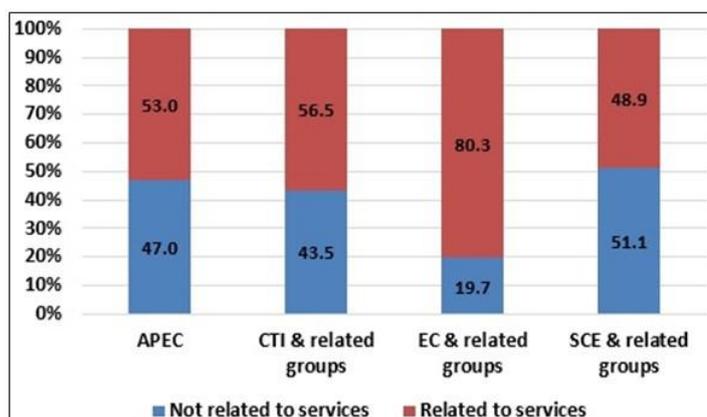
- Exports of commercial services have almost doubled between 2006-2015.

- Share of world commercial services export almost reached 40 percent in 2015.

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## APEC work on services

Services-related projects by Committee, 2006-2015



More than half of projects are relevant to services sector.

Source: PSU computations based on evaluation of project database.

## APEC work on services

Examples of APEC initiatives related to services

| No. | Name   | Link to services  |
|-----|--|---|
| 1   | APEC Business Travel Card (1997)   | Facilitate movement of natural persons                                    |
| 2   | APEC Blueprint for Action on Electronic Commerce (1998)                      | Facilitate provision of financial services and other cross-border trade   |
| 3   | APEC Policy Framework for Work on Services (2000)                            | Facilitate trade and investment in services sector                        |
| 4   | Statement to Implement APEC Policies on Trade and the Digital Economy (2004) | Facilitate cross-border trade in services                                 |
| 5   | APEC Privacy Framework (2005)  | Facilitate cross-border trade in services                                 |
| 6   | APEC Principles for Cross-Border Trade in Services (2009)                    | Facilitate cross-border trade in services                                 |
| 7   | APEC Services Action Plan (2009)   | Facilitate trade and investment in services sector                        |
| 8   | APEC Strategy on Movement of Business People (2010)                          | Facilitate trade and investment in services sector and movement of people |
| 9   | Implementation of Good Regulatory Practices (2011)                           | Facilitate services provision   |
| 10  | APEC Non-Binding Investment Principles (1994, updated 2011)                  | Facilitate investment in services sector                                  |
| 11  | APEC Action Plan on Statistics on Trade in Services (2012)                   | Facilitate trade and investment in services sector                        |
| 12  | Work Plan on Promoting Cross-Border Education Cooperation in APEC (2013)     | Facilitate provision of education services                                |
| 13  | APEC Privacy Recognition for Processors (2015)                               | Facilitate cross-border trade in services                                 |

Source: PSU compilations.

## APEC PSU work on services



### Linkage between services, manufacturing and productivity

- Analyze available information to understand the role of services in manufacturing.
- Identify regulations that are likely to affect negatively the provision of these services.

### Manufacturing-related services

- Collect firm insights on contribution of services in their GVCs.
- Analyze how policies affecting services can have implications on firm's configuration, operation and location of value chains.



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## APEC PSU work on services



### Structural reform and services

- Made up of several case studies, each of which provides an in-depth analysis of the impact of services sector reforms.
- Aims to contribute to better understanding of service sector reforms, the benefits they bring and the challenges faced during implementation.

### Facilitating digital trade for inclusive growth

- Attempts to survey some of the key issues in digital economy.
- Highlights some issues with potential to negatively affect digital trade.



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# APEC Services Competitiveness Roadmap (ASCR)

## Background

- In 2015, APEC Leaders endorsed the APEC Services Cooperation Framework (ASCF) which called for the development of a strategic and long-term Services Competitiveness Roadmap.
- In 2016, APEC Leaders endorsed the APEC Services Competitiveness Roadmap (ASCR) and its accompanying Implementation Plan.
- The Roadmap contains actions and mutually agreed targets to be achieved by 2025, with mid-term review to be conducted in 2021.



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# APEC Services Competitiveness Roadmap (ASCR)

## APEC-wide actions

- Some are indicated in Annex 3 of the ASCR Implementation Plan ([http://mddb.apec.org/Documents/2016/MM/AMM/16\\_amm\\_012.pdf](http://mddb.apec.org/Documents/2016/MM/AMM/16_amm_012.pdf))
- A total of 19 APEC-wide actions.
- Additional APEC-wide actions can be agreed at any time.
- Fora identified as accountable for APEC-wide actions:

| Original list   |   | Additional fora identified in SOM1 2017 endorsed-paper  |
|---|---|---|
| <ul style="list-style-type: none"><li>• CTI</li><li>• EC</li><li>• HRDWG</li><li>• BMG</li><li>• GOS</li><li>• ECSG</li></ul> | <ul style="list-style-type: none"><li>• AHSGIE</li><li>• PPFS</li><li>• TPTWG</li><li>• FMP</li><li>• TWG</li></ul> | <ul style="list-style-type: none"><li>• EWG</li><li>• IEG</li><li>• TELWG</li><li>• SMEWG</li><li>• PPSTI</li></ul> |



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# APEC Services Competitiveness Roadmap (ASCR)

## Report on Baseline indicators



- Indicators available for all APEC-wide actions.
- Indicators are from reputable, third-party sources such as the World Bank, OECD and UN agencies.
- Some are collected via updates provided by fora, surveys of fora members and economy sources.



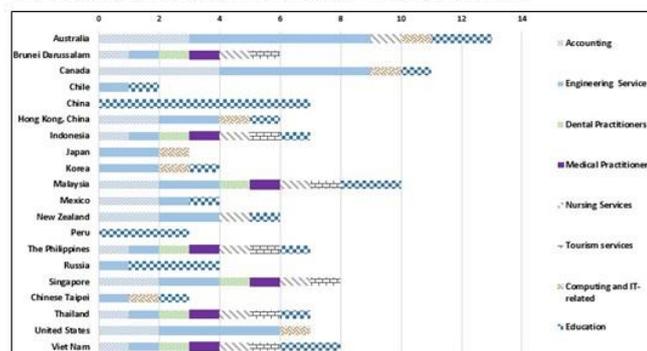
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## Baseline for APEC-wide action #8

Supporting cooperation in the education sector including promoting internship schemes, overseas student exchange programs, and collaborative policy studies, as well as, in accordance with domestic education systems, information sharing pertinent to economies' education standards, qualifications and credit systems to measures to explore mutual recognition.

**Indicator:** Cross-recognition of educational standards and professional qualifications.

### Presence of MRAs with other APEC economies



Source: PSU's compilations (March 2017) and survey responses of HRDWG members (April-June 2017).

- Economies with significant number of MRAs supporting cross-border mobility of certain professionals with other APEC economies include Australia; Canada; Malaysia; Singapore; and Viet Nam



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## Baseline for APEC-wide action #12

Support APEC's work on developing the travel and tourism sector for sustainable and inclusive growth, building on the work of the APEC Tourism Strategic Plan.

**Indicator:** Passport Index – Intra-APEC visa restrictions.

### No. of APEC economies requiring visa from the origin economy

| Origin economy    | Of economies requiring visa from nationals of origin economy |  |
|-------------------|--|--|
|                   | Number via eTA, eVisa, and visa on arrival                   | Number via non-electronic submission of requirements |
| Australia         | 4  | 3  |
| Brunei Darussalam | 4  | 3  |
| Canada            | 2  | 3  |
| Chile             | 4  | 3  |
| China             | 3  | 14   |
| Hong Kong, China  | 4  | 2  |
| Indonesia         | 2  | 9  |
| Japan             | 4  | 1  |
| Korea             | 4  | 1  |
| Malaysia          | 2  | 4  |
| Mexico            | 3  | 7  |
| New Zealand       | 4  | 3  |
| Papua New Guinea  | 3  | 11   |
| Peru              | 2  | 7  |
| The Philippines   | 2  | 10   |
| Russia            | 2  | 9  |
| Singapore         | 4  | 1  |
| Chinese Taipei    | 9  | 3  |
| Thailand          | 2  | 5  |
| United States     | 2  | 3  |
| Viet Nam          | 1  | 13   |

- From the perspective of the origin economy, between 5 to 17 other APEC economies require their nationals to obtain visas.
- It should be acknowledged, however, that economies have facilitated the process through the use of electronic travel authorization (eTA), eVisa and visa on arrival.

Note: eTA refers to electronic travel authorization. Passport index data have been adjusted using economy sources, e.g. Hong Kong, China residents do not need visa for China but nevertheless need to have "Home Return Permit". The table above considers the two as distinct. Source: *Passport Index* (<https://www.passportindex.org/comparebyPassport.php?p1=nz&e=yes>). Accessed 26 April 2017.



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## APEC Services Competitiveness Roadmap (ASCR)

### Role of APEC Index

- Identified as indicators in several APEC-wide actions.
- Development would extend coverage and lead to better measure of progress.
- In 2017, paper on “Next Steps for the Work of Measuring the Regulatory Environment in Services Trade of APEC” was endorsed.



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## What happened since?

### Capacity building activities

- Workshop on Trade in Services Index Data (**Oct 2017**)
- APEC Symposium on Services Trade (**May-Jun 2018**)
- Capacity Building Workshop on Information Gathering Techniques for Assessing the Services Environment (**Nov 2018**)
- Advancing The Services Agenda In APEC: A Focus on Implementing The APEC Index Pilot Program (**Now**)



### Technical Group (TG) establishment and meetings

- Establishment of TG (**May 2018**)
- 1<sup>st</sup> TG Meeting (**May 2018**)
- 2<sup>nd</sup> TG Meeting (**Aug 2018**)
- 3<sup>rd</sup> TG Meeting (**Feb 2019**)
- 4<sup>th</sup> TG Meeting (**Upcoming**)

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## About the Technical Group

- Comprises of members from 12 economies (AUS; CHL; PRC; HKC; JPN; ROK; MAS; PE; SGP; CT; USA; VN), OECD, World Bank and PSU.
- Chaired by Dr. June Dong Kim of Korea.
- Objectives:
  - Develop a **draft APEC index**.
  - Decide the details of **pilot program** and implement it for **volunteer economies**.
  - Develop a **new project to expand coverage** of APEC index to additional economies, with a view to expanding to all remaining economies.



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## Key outcomes of TG Meetings

**[Base index]** OECD STRI as working basis for pilot program.

**[Approach]** Incremental

**[Volunteer economies and sector coverage]**

|                | Distribution | Computer | Telecommunications | Logistics (storage and warehouse) |
|----------------|--------------|----------|--------------------|-----------------------------------|
| Chile          | ✓            |          | ✓                  |                                   |
| Peru           | ✓            | ✓        | ✓                  | ✓                                 |
| Chinese Taipei | ✓            | ✓        | ✓                  | ✓                                 |
| Viet Nam       | ✓            | ✓        |                    | ✓                                 |

**[Implementation]** Two track approach (i.e. concurrent collection of baseline data and continued discussions on APEC specific elements in various aspects such as policy areas and weights).



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APEC Online and Social Media



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# ICT: Rules for Regulatory Frameworks and Trade Barriers

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Lee Tuthill, WTO

Advancing the Services Agenda in APEC

23-24 July 2019, Ha Noi, Viet Nam

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## In brief

- WTO rules for ICT regulation
  - GATS
  - Telecom Annex
  - Reference Paper
- Recent technology and market trends
- Regulatory trends
  - ICT in RTAs
  - ICT in E-commerce talks
- Implications for regulation



# GATS: Trade restrictions



## MFN & Transparency

### Market Access

- limits on number of suppliers\*
- limits on value of transactions or assets\*
- limits on number of operations or the quantity of output\*
- limits on number of persons that may be employed in a sector or by a supplier\*
- measures that restrict or require specific types of legal entity or joint venture
- limits on the participation of foreign capital

*\*or an economic needs test having the same effect*

### Non-discrimination (domestic)

- *De juri or de facto*

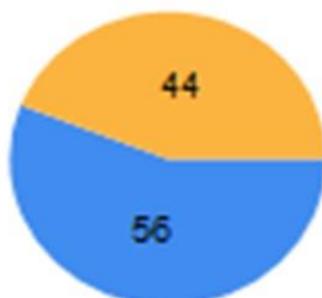
3

## Region's current status (ITU database)

No restriction to foreign participation/ ownership, 2018

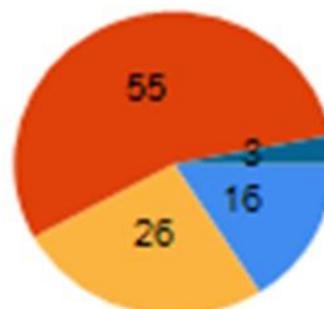
Level of competition in Leased Lines, 2018

Asia & Pacific



■ Yes ■ No

Asia & Pacific



■ Monopoly ■ Partial competition ■ Full competition ■ N/A



# Transparency

*Obligations applying to all services, scheduled or not:*

## GATS Article III: Transparency

-  **Promptly publish, or make otherwise publicly available, all relevant measures and international agreements**

## Annex on Telecommunications

-  **Ensure public availability of conditions affecting access to and use of public telecommunications**

E.g. tariffs, technical interfaces, standards bodies, attachment of terminal equipment & notification, registration or licensing requirements.

Reference Paper on regulatory principles (Various provisions)

5



# Objectivity is Key ...

## GATS Article VI: Domestic Regulation

*In services where commitments are undertaken:*

-  **Administer all measures applicable to services or service sectors in a reasonable, objective and impartial manner.**

Reference Paper on regulatory principles

## **Independent telecom regulator**

**Separate from, and not accountable to, any basic telecom supplier. Decisions and procedures to be impartial with respect to all market participants.**

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## GATS Annex on Telecommunications

### Far reaching implications for ICT policy & regulation in the digital era



- *Core obligation: guarantee service suppliers access to basic telecoms they need to do business*
- Ensure reasonable and non-discriminatory access to and use of public telecommunications transport networks and services (PTTNS), for the supply of any services listed in the schedule
- Obligations on all telecom service providers required, explicitly or in effect, to make basic telecom networks and services generally available to the public, *whether or not dominant*
- *No particular regulatory approach (ex ante, ex post) prescribed*

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## The Reference Paper



### Telecom Regulatory Principles

- **Competition** - avoid abuse of dominance
- **Interconnection** - guarantee fairness
- **Regulator** - independent of operators
- **Universal service** - competition friendly
- **Finite resources** - administer fairly  
(e.g. spectrum, numbering, rights of way)
- **Licensing** - added transparency

# Competition safeguards on dominant operators



## Reference Paper

Defines as "major" those suppliers with control over essential facilities or a dominant position in the relevant market for basic telecommunications services

Maintain measures to prevent major suppliers from engaging in anti-competitive practices affecting trade in telecommunications

## Examples:

- ❑ engaging in anti-competitive cross-subsidization
- ❑ abusing information obtained from competitors
- ❑ not promptly providing other services suppliers with technical information about essential facilities and commercially relevant information they need to provide services

tsd/slides/regeng.ppt

9

# Interconnection Guarantees



## Reference Paper

Ensure interconnection with a major supplier is provided:

- at any technically feasible network point
- under non-discriminatory terms, conditions and rates
- of a quality no less favourable than provided for its own like services, those of non-affiliated suppliers or subsidiaries or other affiliates
- in a timely fashion
- on terms, conditions and cost-oriented rates
- sufficiently unbundled so that the supplier need not pay for network components it does not need
- on request, at network termination points other than those offered most users, subject to reasonable charges

tsd/slides/regeng.ppt

10

# Competition friendly universal service mechanisms



Reference Paper

## Universal Service Obligations

Administer universal service obligations, *however defined*, in a manner that is:

- Transparent
- Non-discriminatory
- Competition neutral
- Not more burdensome than necessary

tsd/slides/regeng.ppt

11



# Computer services

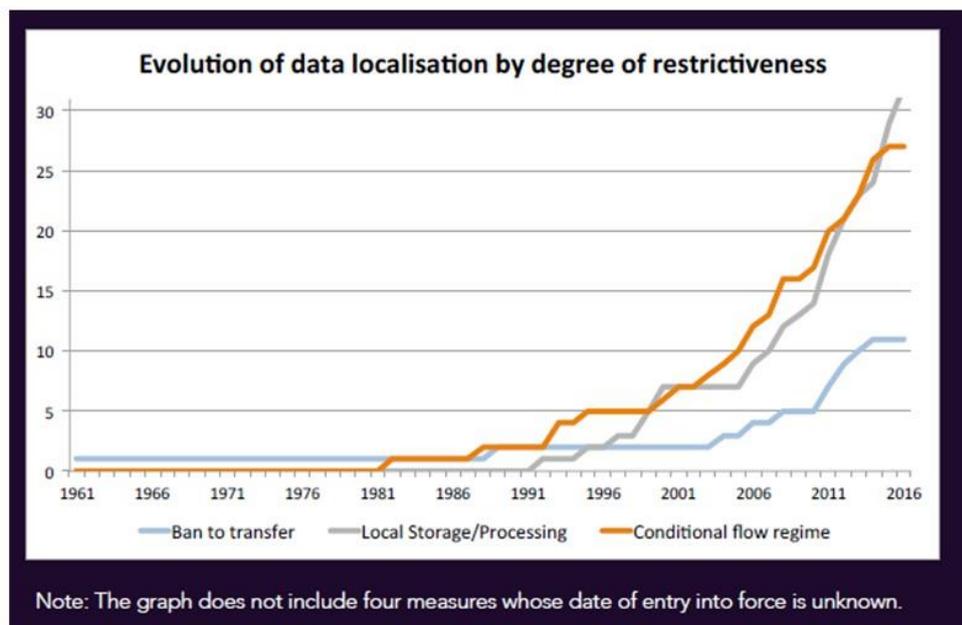


## Emerging trade obstacles

- Total blocking
- Total blocking - intermittent
- Filtering – selective blocking
- Discriminatory regulations
- Server or data centre localization
- Commercial presence required
- Liability sanctions

INT/SUBSERV/72

## Example: Data localization



Source: ECIPE, Digital Trade Estimates Database

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## Evolving services in the digital era



- Cloud technology (storage, processing & delivery)
- Big Data – Large scale data analytics
- Artificial intelligence (AI)
- Internet of Things (IoT) – connected physical objects
- 3D printing – printing of physical objects from software
- Distributed ledger data transmission network technologies (e.g. blockchain)
- Fintech and mobile payments

## Production chains: Market access issues & data reliance



- Distribution services platforms - few commitments, applied regimes based on domestic market supply, retail level regulations aimed at brick-and-mortar models
- Logistics – air transport carved out of GATS, other transport sectors also sensitive, e.g. trucking
- Delivery - Post & courier services not fully competitive, leads to high costs, affected by transport restrictions
- Payments – Not fully globalized, some markets can participate in buying, but not selling

# ICT in RTAs

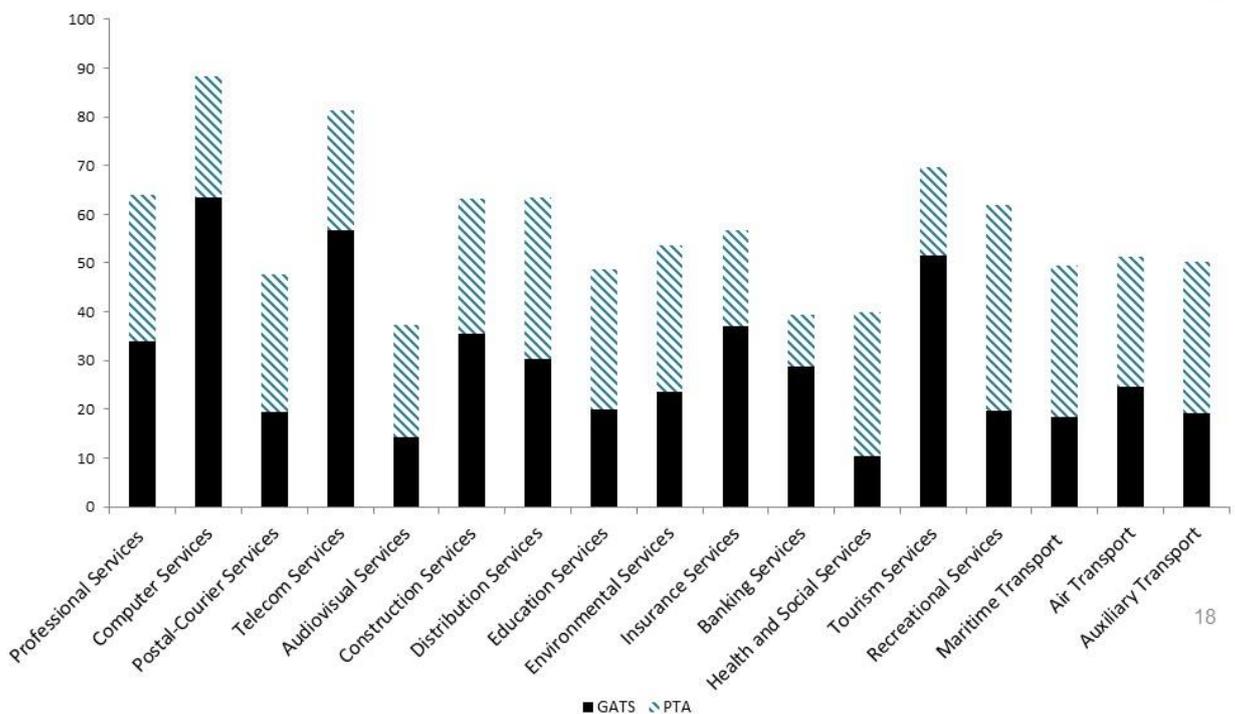


- Expanded telecom regulatory principles, e.g. some obligations apply to all telecoms not only “basic” services
- Electronic commerce principles e.g. no customs duties on digital products, data flows provisions, e-commerce regulatory frameworks
- Improved and expanded market access commitments on telecom and computer services (also on postal/express delivery)

INT/SUB/SERV/72

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# Market Access: GATS vs. RTAs



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# ICT in WTO E-commerce Talks



|                               |  |
|-------------------------------|--|
| Definition                    | Network competition                            |
| Customs duties/<br>moratorium | Encryption                                     |
| Transparency (general)        | Future proofing<br>frameworks                  |
| Non-discrimination            | Standards/<br>interoperability                 |
| Data flows                    | Customs procedures                             |
| Open Internet/ networks       | Trade Facilitation                             |
| Localization restrictions     | Transparency/ prior<br>publication and comment |
| Technology transfers          | Conformity assessment                          |
| Source code                   |  |
| Choice of Technology          |  |
| E-signatures/ Authentication  |  |

## *... more issues*



|  |  |
|--|--|
| Cooperation with other IOs                       | Market access commitments/<br>negotiations |
| Legitimate policy objectives,<br>DR & exceptions | Improve metrics and data                   |
| Privacy/ personal data                           | Trade monitoring                           |
| Consumer protection/<br>confidence               | Classification                             |
| - cybersecurity                                  | infrastructure gaps                        |
| - spam   | Licensing/<br>authorization                |
| Regulatory cooperation                           | Electronic payments                        |
| Network neutrality                               | e-procurement                              |
| IPR protection                                   | Paperless trading                          |
|  | Legal frameworks                           |

# Implications of regulation for trade



- Off-line rules apply, but how?
  - On-line world not exempt
- Internet regulation, evolving
  - Privacy, cybersecurity, cybercrime
  - Liability & jurisdiction issues
  - Data transfer regulation
  - Content regulation
  - Competition policy, e.g. Net neutrality, dominance concerns





# APEC STRI: PILOT PHASE IMPLEMENTATION

Ha Noi, 24 July 2019

John Drummond  
Trade in Services Division  
OECD



## Measuring the regulatory environment for services in APEC

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- Transparency
- Quantification
- Impact assessment and analysis
- Better policies
- Economic growth and jobs

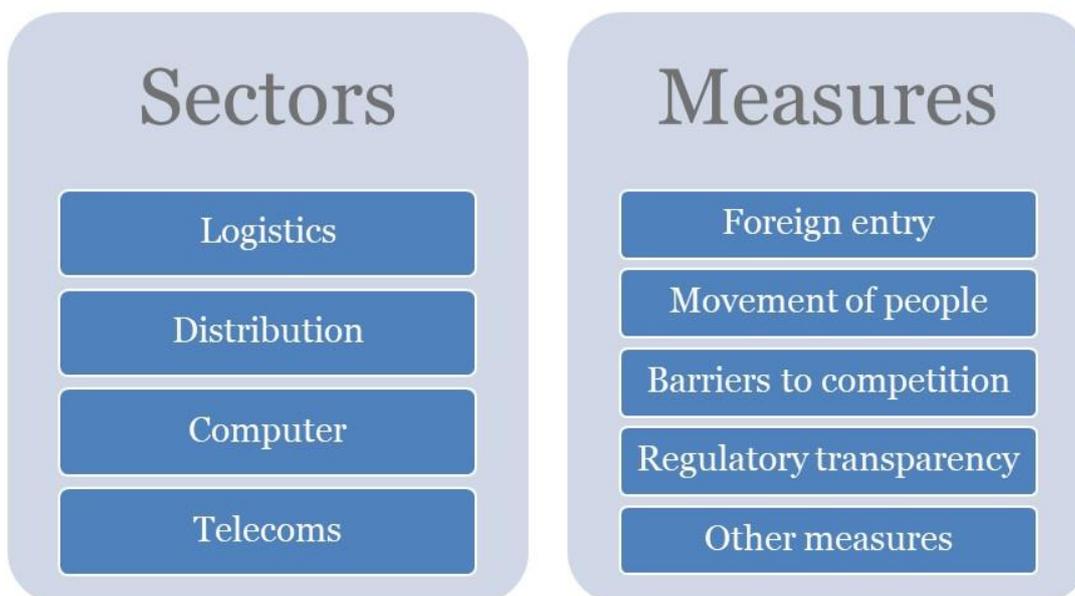
## APEC index: Pilot implementation

### • Two parallel tracks

| Track 1: Discussion on APEC specific elements  | Track 2: Collection of baseline data  |
|--|---|
| <ul style="list-style-type: none"> <li>• Technical group to discuss and develop APEC-specific additions to the baseline data</li> </ul>  | <ul style="list-style-type: none"> <li>• OECD to collect the baseline regulatory data, complete the regulatory database and generate preliminary baseline indices for volunteering economies</li> </ul>                             |
| <ul style="list-style-type: none"> <li>• Customisation elements can be discussed using the draft baseline data in August 2019</li> </ul> | <ul style="list-style-type: none"> <li>• Data collection: about 6 months</li> <li>• Draft inputs to be delivered to August 2019 Technical Group meeting</li> </ul>  |
| <ul style="list-style-type: none"> <li>• Reflect agreed customisation elements to derive the APEC specific index</li> </ul>              | <ul style="list-style-type: none"> <li>• Deliverables:               <ul style="list-style-type: none"> <li>• Baseline regulatory database</li> <li>• Baseline indices</li> <li>• Other supporting materials</li> </ul> </li> </ul> |

3

## Collection of baseline data



4

## Procedure for compiling APEC STRI baseline data

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### Step 1: Technical Group decision

- Establish pilot economy coordination points

### Step 2: Desk research

- Undertaken by the OECD Secretariat (factual information collected from publicly available sources pertaining to regulations and laws in force for relevant services sectors)
- Coverage: Distribution, Logistics (Warehousing and Storage), Telecommunications, Computer Services sectors

5

## Procedures for compiling APEC STRI baseline data

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### Step 3: Verification

- Coordinating Ministry distributes the information compiled by the OECD Secretariat to relevant agencies for verification
- Consultation with domestic regulators and relevant Ministries

### Step 4: Quantification

- Performed by the OECD Secretariat on the basis of verified regulatory information

6

## Procedures for compiling APEC STRI baseline data

---

### Step 5: Consultation on results

- Can be performed electronically and/or in a workshop
- To ensure that results are accurate and understood

### Annual updates

- Initiated and undertaken by the OECD Secretariat, which monitors relevant changes to regulations and laws
- Coordinating Ministries are contacted for verification (normally in September of each year)
- Process is managed so that minimum effort is required by coordinating Ministries

7

## Coverage of APEC economies

---

STRI completed: Australia, Canada, Chile, China, Indonesia, Japan, Malaysia, Mexico, New Zealand, Russia, Republic of Korea, United States

STRI in progress (22 sectors): Peru, Singapore, Thailand

STRI in progress (partial sectors): Brunei Darussalam, The Philippines

APEC STRI pilot economies: Chile, Chinese Taipei, Peru, Viet Nam

8

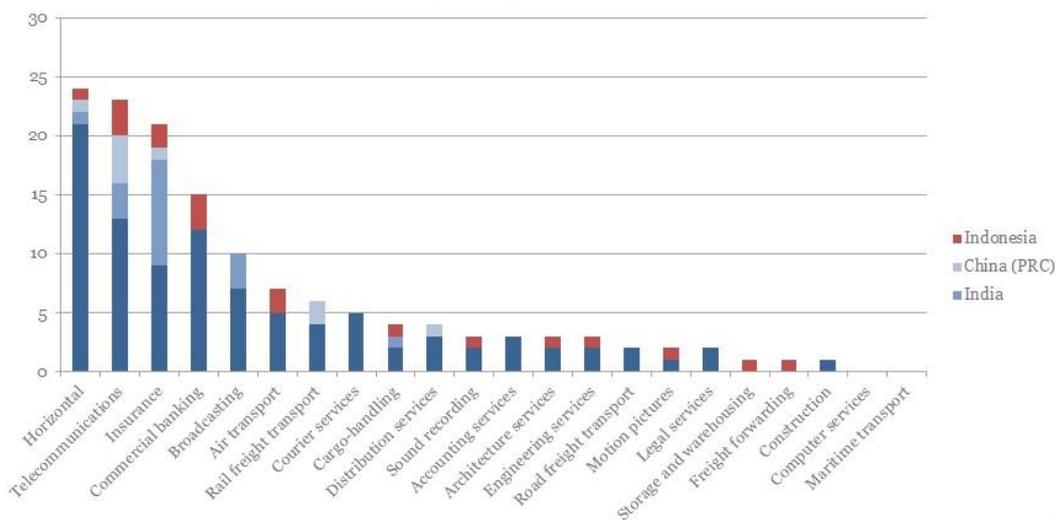
## Key deliverables

- Database
- Indices
- Tracking reforms
- Assessing benefits
- Economy and regional level analysis

9

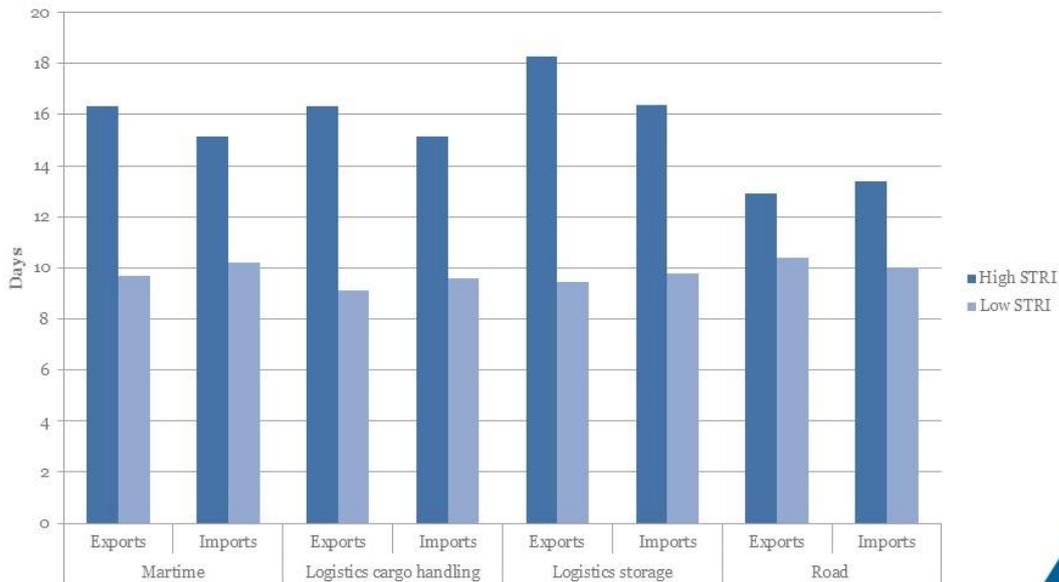
## Tracking reforms

Number of policy changes 2014-2018

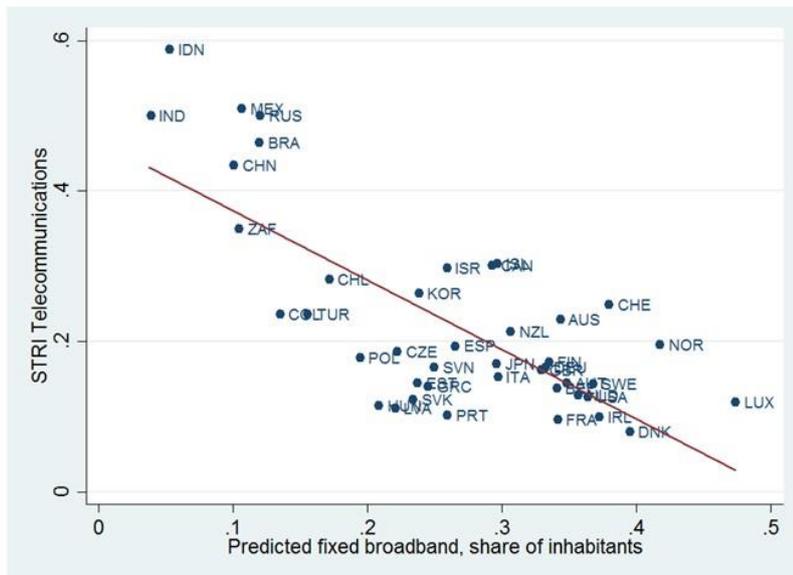




## Services and shipping times



## Services and the digital economy



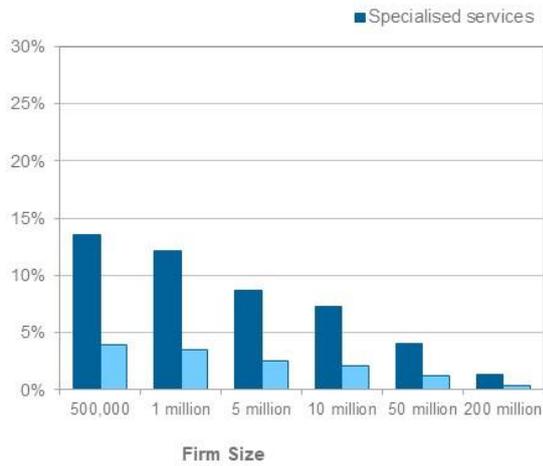


## Services and SMEs

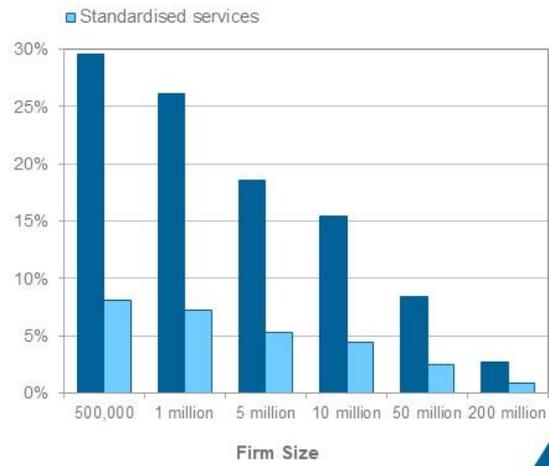
### Additional trade cost of regulatory restrictions for SMEs

Estimated additional tariff equivalent for SMEs compared to large firms of 400 million EUR or more

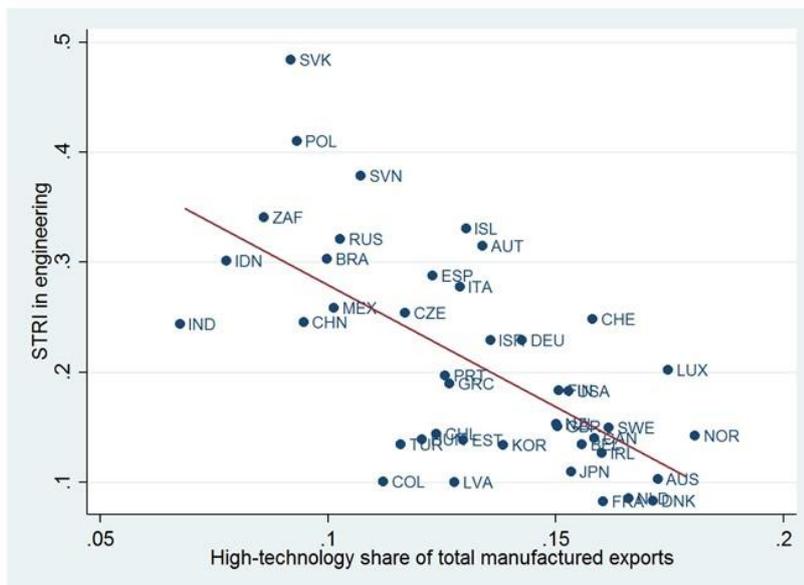
(a) On cross-border exports



(b) On foreign affiliate sales



## Services and manufacturing





## Contact us

We look forward to hearing from you!



Access all of the information from the Trade & Agriculture Directorate at:

[www.oecd.org/tad](http://www.oecd.org/tad)

You can reach us via e-mail by sending your message to the following address:

[Janos.FERENCZ@oecd.org](mailto:Janos.FERENCZ@oecd.org)

We invite you to connect with us on Twitter by following:

[@OECDtrade](https://twitter.com/OECDtrade)





# USING THE OECD SERVICES TRADE RESTRICTIVENESS INDEX (STRI)

Workshop on Advancing the Services Agenda in APEC

24 July 2019  
Ha Noi, Viet Nam

Janos Ferencz  
Trade in Services Division, OECD



## Objective

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- To learn how to use the STRI and its tools to improve regulatory transparency and promote policy reforms
- How?
  - Discussions
  - Interactive exercises using the STRI tools



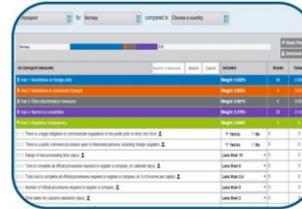
# The OECD STRI suite of tools



Regulatory database



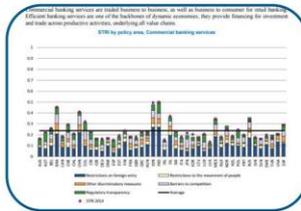
Compare economies



Policy simulator



Mobile application



Economy and sector notes

|   |    |
|---|----|
| Executive Summary   | 5  |
| 1. Introduction   | 6  |
| 2. Methodology and data                                       | 7  |
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| 3. Competition and profitability in services                  | 10 |
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| Construction  | 14 |
| Distributive services   | 14 |
| Professional services   | 15 |
| Transport and courier services                                | 15 |
| Logistics services  | 15 |
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| 6. Concluding remarks   | 20 |
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| Annex 3. Regression Tables                                    | 36 |

Research papers



## COMPUTER AND TELECOMMUNICATIONS



# STRI framework for computer services

## 1. Restrictions on foreign entry

- Equity restrictions
- Restrictions on legal form
- Board of directors and managers
- FDI screening
- Other investment barriers
- Performance requirements
- Commercial/local presence requirement
- Cross-border data flows

## 3. Other discriminatory measures

- Taxes
- Public procurement

## 2. Restrictions to movement of people

- Quotas
- Labour market tests
- Duration of stay
- Recognition of foreign qualifications

## 4. Barriers to competition

- Appeal and redress
- Fee-setting
- Minimum capital requirements
- Restrictions on advertising

## 5. Regulatory transparency

- Transparency in the legislative process
- Business visa restrictions
- Doing business

5



# STRI framework for telecommunications

## 4. Barriers to competition

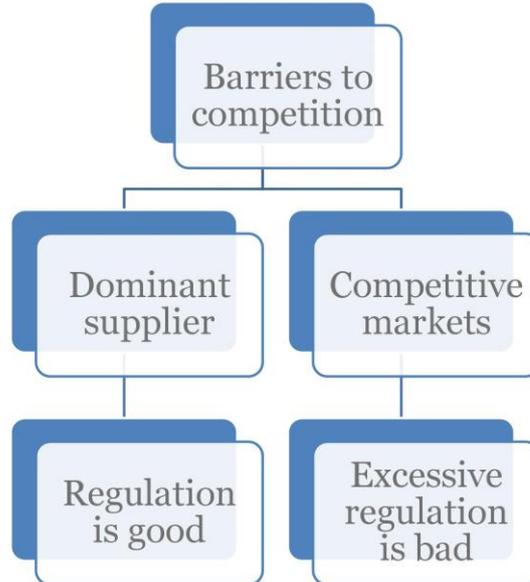
- Contracts for universal services obligations are assigned on a competitive basis
- Number portability is required
- Time and conditions for porting are regulated
- Resale of public telecommunications services is allowed
- "Use it or lose it" applies to spectrum
- Secondary spectrum trading is allowed
- Wholesale international roaming rates are regulated
- Retail international roaming rates are regulated
- Interconnection is mandated
- Access to passive and active wholesale products is mandated
- Wholesale access prices are regulated, passive and active products
- A reference offer is mandated for wholesale access to passive and active products

## 4. Barriers to competition

- Fixed termination rates are regulated
- A reference offer is mandated for termination and interconnection
- Mobile termination rates are regulated
- A reference offer is mandated for termination and interconnection
- Fixed call origination rates are regulated
- A reference offer is mandated for fixed call origination
- Access to mobile networks is mandated
- Mobile call origination rates are regulated
- A reference offer is mandated for mobile call origination
- Retail prices are regulated
- Vertical separation is required
- Memo: There is at least one dominant firm

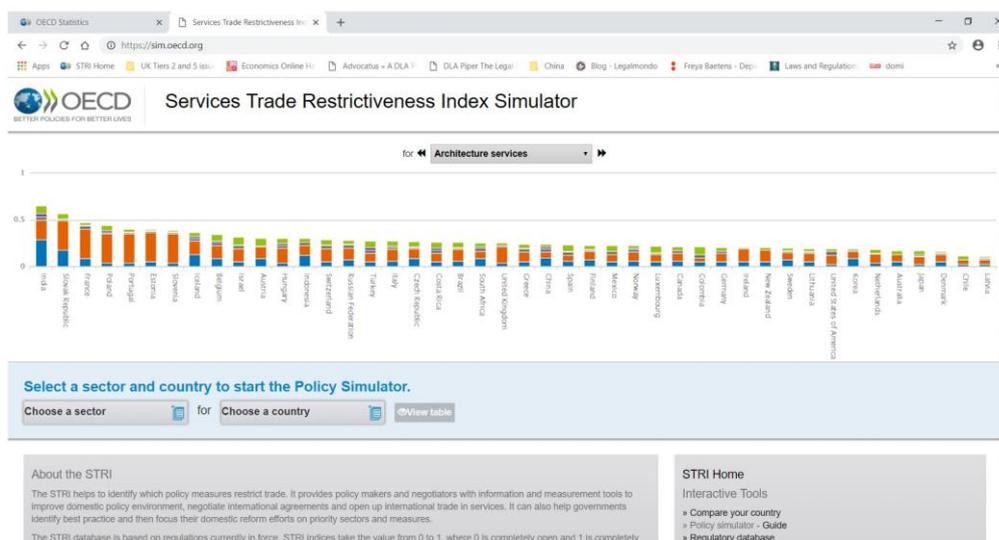


## Scoring in telecommunications depends on market structure



## The STRI Policy Simulator

Access the OECD Policy Simulator here: <http://sim.oecd.org>





## Exercise: finding data in the STRI

Individually  
5 min

- Using the STRI Simulator, select an economy of your choice
- Select a sector: [computer services](#) or [telecommunications services](#)
- **Identify three (3) aspects that describe the regulatory environment in that economy.**
- Inspiration from a case study

With a partner  
6 min x 2

- Share your findings with another person in the room. Note down the findings of the other person.
- Do it again with another person.

Share with the  
group

- What did you find?
- Were there commonalities between the findings?



## Some inspiration: the case of Mexico

- Starting in 2015, Mexico implemented a package of reforms in telecommunications services, including:
  - Rolling back foreign equity restrictions in fixed-line and Internet services segments of the sector.
  - Establishing a new independent regulator
  - Introducing a series of pro-competitive measures to challenge the dominant position of incumbent telecommunications firms.
- The impact has been highly positive ([OECD, 2017](#))



Image by [Pixabay](#)



# DISTRIBUTION AND LOGISTICS SERVICES



## STRI framework for distribution services

### 1. Restrictions on foreign entry

Licences for the distribution of certain products are subject to quotas or economic needs tests  
Zoning regulation discriminates foreign suppliers

The number of sales outlets per firm is limited

Restrictions on franchising

Restrictions against foreign distributors to practice direct selling including e-commerce

Memo: The distribution of certain products is reserved for statutory monopolies

Memo: Market share under monopoly in the sector

### 4. Barriers to competition

Prices or fees are regulated

Contract rule for cross-border transaction deviate from internationally standardised rules

Laws or regulations explicitly protect confidential information

Seasonal sales periods are regulated

Regulations limit the range of products a retailer may carry

Laws or regulations provide electronic signature with the equivalent legal validity with hand-written signature

### 3. Other discriminatory measures

Foreign firms are discriminated against on trademark protection

The pre-packaging of products is subject to mandatory nominal quantities

Online tax registration and declaration is available to non-resident foreign providers

### 5. Regulatory transparency

Licences are allocated according to publicly available criteria

Restrictions related to the duration and renewal of licences

Time taken for customs clearance (days)

Pre-arrival processing is possible



## STRI framework for logistics services

### 1. Restrictions on foreign entry

Service provision is reserved for statutory monopoly or granted on an exclusive basis (storage and warehouse at airports, ports, road and rail facilities)

Licences are subject to quotas or economic needs test (storage customs and other storage)

### 4. Barriers to competition

Contracts for service provision are awarded through competitive bidding

Limitations on working hours of operation for storage and warehouse facilities

### 3. Other discriminatory measures

Discriminatory access to storage and warehouse facilities (storage and warehouse)

Standards on packages deviate from international standards

### 5. Regulatory transparency

Duration of visa for transport crew

Visas on arrival or visa exemption are available for temporary entry/transit of transport crew

Multiple entry visas are allowed for transport crew

Individual licensing

Time taken for customs clearance (days)

Pre-arrival processing is possible

13



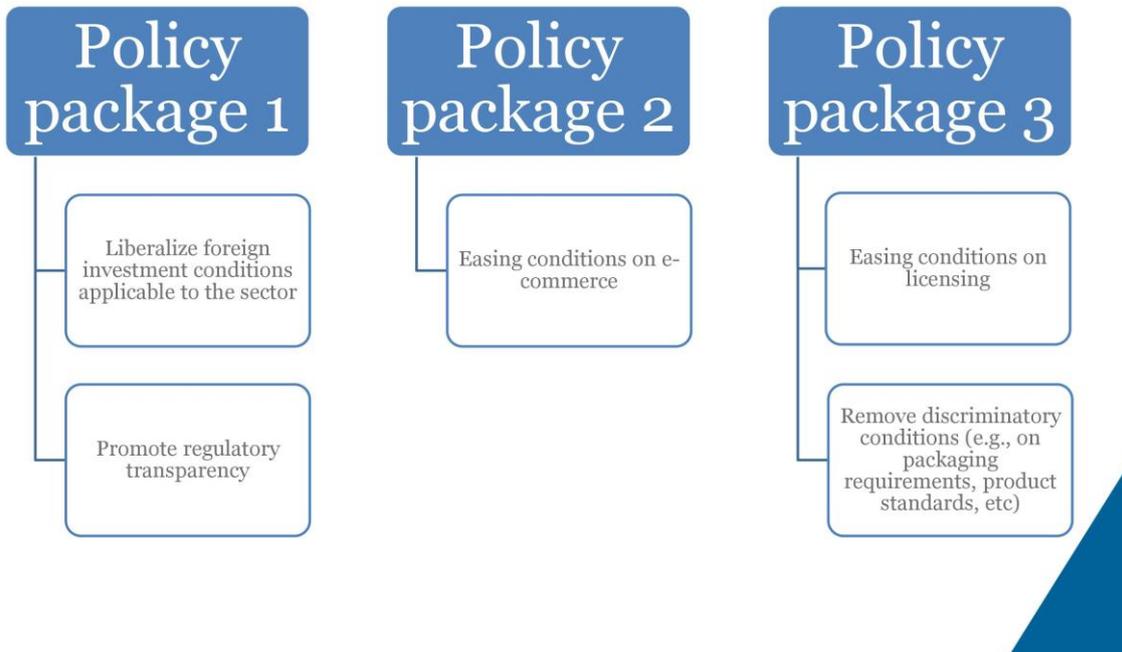
## Exercise: simulations of policy reforms

- Hypothetical case: your economy is considering to introduce comprehensive trade liberalising reforms and has asked you to advise on different reform packages that could be considered
- In small teams of 2-3 individuals:
  1. Select a sector of your preference: [distribution](#) or [logistics services](#)
  2. Prepare 2-3 different policy packages using the measures in the STRI Policy Simulator
  3. What is the impact of the different policy packages on the STRI indicators?



## Suggestions for policy packages in distribution services

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## Main takeaways

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- Overview of the STRI tools and their applications
- Deeper insights into the four sectors included in the APEC index pilot exercise
- Exercises to help better use the STRI for policy making purpose



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Thank you!

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