



Asia-Pacific Economic Cooperation

2004/SOMII/CPDG/005

Agenda Item: 4b

Implementing APEC Leaders' Transparency Standards

Purpose: Consideration

Submitted by: USA



Competition Policy and Deregulation Group

Pucón, Chile

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APEC COMPETITION POLICY AND DEREGULATION GROUP

IMPLEMENTING APEC LEADERS' TRANSPARENCY STANDARDS

INITIAL PROPOSED ACTIONS

On October 21, 2003, APEC Leaders reaffirmed their 2002 commitment to implement APEC transparency principles through an agreed set of Transparency Standards (see Leaders' Statement to Implement APEC Transparency Standards, Bangkok, Thailand) and through the "Transparency by 2005" Strategy. These Standards contain General Standards applicable across all Osaka Action Agenda areas, and area-Specific Standards including those on competition policy and regulatory reform developed by the APEC Competition Policy and Deregulation Group (CPDG).

The "Transparency by 2005" Strategy envisages Leaders announcing at their meeting this November how they will have implemented the Transparency Standards into their domestic laws, regulations, procedures and administrative rulings of general application and demonstrating how their actions have actually resulted in practice in increased transparency in their governments. The Strategy envisages that SOM will prepare a report on economies' progress. The CPDG should, via the CTI, have input into these outcomes this year.

As first steps to help ensure successful outcomes this year, the United States proposes that economies work collectively in the CPDG to assist individual economies' implementation of the Transparency Standards on competition law and policy and regulatory reform as follows:

1. Develop new transparency sections for the Competition Policy and Deregulation IAP templates.
2. Use CPDG meetings to exchange information on economies' implementation of the transparency standards into their domestic legal regimes.
3. Use CPDG meetings to review the transparency standards on competition law and policy and regulatory reform to determine whether they could be improved, revised or expanded further per paragraph 12 of the Leaders Statement to Implement APEC Transparency Standards.
4. Use CPDG meetings to develop initiatives that APEC could undertake to promote awareness of APEC's transparency standards.
5. Use the CPDG meetings to highlight new developments in each economy's competition laws and policies.
6. Use CPDG meetings to examine transparency provisions on competition law and policy in economies' free trade agreements, regional trade arrangements and other initiatives.
7. Continue to maintain the APEC Competition Policy and Law database.