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Articles

The move to preferential trade on the Western Pacific Rim: some initial conclusions

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attention and resources away from negotiations at the global level but also runs the risk of fragmenting the 'pro-liberalisation' coalition in countries that have signed multiple agreements.

Love them or loathe them, preferential trade agreements (PTAs) are now a prominent and seemingly permanent part of the global trade landscape.1 In the dozen years since the World Trade Organisation (WTO) came into being, members have notified it of the creation of more than 240 PTAs covering goods or services—a dramatic contrast to the GATT years between 1949 and 1994 when only 124 such agreements were notified. Today there are around 220 active agreements that have been notified to the WTO—with a substantial further number yet to be notified (Figure 1).2

Figure 1. Number of PTAs notified to the GATT/WTO by year of entry into force

Source: (Fiorentino, Verdeja and Toqueboeuf, 2007 Chart One).

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the crisis, they all jumped aboard the PTA bandwagon—and the Australian government and others that had similarly been sceptical of such agreements in the past joined suit. Today, there are more than 80 PTAs involving East Asian economies that are either being implemented, negotiated or the subject of study groups (Table 1).

Table 1. Bilateral and Minilateral PTAs Involving the Economies of East Asia and Oceania (June 2007)

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Scope and Motivations of Asia-Pacific PTAs

We now have a substantial database from which we can begin to draw conclusions about the move to preferential trade in the Asia-Pacific region. Inevitably, such conclusions will have to be tentative. The number of agreements that are actually being implemented is still relatively small; many of them have only entered into force in the last couple of years and contain provisions that will not be fully put into practice for some considerable period. Nonetheless, some clear patterns have begun to emerge.

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in their product coverage, are typically less ambitious in the WTO Plus area—for instance, by not going beyond existing international commitments on intellectual property rights, making no reference to environmental or labour standards, and failing to move beyond pledges to consult on competition policy and government procurement.

In the middle of the spectrum are Japan and Korea, with Japan's typical agreement being somewhat more comprehensive in its coverage than those of Korea. Outside of the area of investment, agreements involving these countries have few WTO Plus provisions. A distinctive feature of the Japanese and Korean commitments to the realisation of 'Comprehensive Economic Partnerships', however, are provisions for technical assistance on capacity building for less developed partners. At the other end of the spectrum, are the agreements of ASEAN and China. These typically are little more than frameworks, agreements to negotiate further cooperation on matters related to international trade. Product coverage in goods trade is far from complete; that of trade in services even less so. Neither of these parties typically includes references to intellectual property rights (except in China's case, reference is sometimes made to the need to achieve a balance between the interests of rights holders and users). Government procurement and competition policy are similarly off the agenda. They contain no reference to environmental issues (while agreements involving Japan and Korea do [illegible] weak); and as with t [illegible] is absent.

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The very significant variations in the scope of PTAs that Pacific Rim countries have negotiated to date reflect differences in levels of economic development and in bureaucratic capacity across the region. They also point to the variety of objectives that PTAs serve. These are as diverse as the agreements themselves. Given the complexities of the issues involved in negotiating PTAs, and the multiple stakeholders affected by these agreements, to disentangle the political from the economic is no easy task. And within both categories, several sets of motivations often co-exist.

Throughout modern history, all economic cooperation agreements have been accompanied by expectations that collaboration in areas of 'low' politics will lay the foundations for peaceful co-existence among participants. The European Coal and Steel Community, the predecessor to the European Union, is a classic example. Nowhere is the practice of using economic cooperation as a means of confidence-building among distrusting neighbours better illustrated than in ASEAN where four decades of (albeit at best partially successful economic collaboration) have provided the basis for a nascent security community (on the limitations of ASEAN's economic collaboration see Ravenhill 2007; on ASEAN as a security community, see Acharya 2001. Similarly, for many commentators, North American Free Trade Agreement (NAFTA) was as much about stabilisi [illegible] ing economi [illegible]

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Political factors may be an early step in decision-making on agreements that ultimately are shaped by economic considerations. In the case of the US, for instance, Washington decided to prioritise negotiations with ‘proven allies’ in selecting its partners for negotiating PTAs—but this preference for working with friends has not prevented it from rigorously pursuing its own economic interests once negotiations begin. Even if the primary objectives of a state in initiating the negotiation of a PTA are political, the agreements will inevitably also serve some economic purpose (although, as discussed further in Philippa Dee's article in this issue, the establishment of a PTA will not necessarily produce welfare gains for the parties).

Turning to the economic dimension, three principal motivations are evident in Asia-Pacific agreements negotiated to date. The most ambitious agreements aim to promote deeper integration, to go beyond existing WTO commitments particularly on services—and in the case of agreements involving the United States, on environment, intellectual property, and labour standards. A second prominent economic reason for entering into PTAs, for China, in particular, has been to use them to attempt to secure access to raw materials. Here the emphasis has been less on negotiating a comprehensive agreement

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Evaluating the new Asia-Pacific PTAs

Overall Economic Effects

Pointing to the political objectives that governments pursue through PTAs serves to remind observers that it may not be appropriate to judge these agreements on economic criteria alone. Yet, it is the extent to which the economic impact of the agreements lives up to (often exaggerated) expectations that tends to capture public attention and which, in principle, should be easier to evaluate than the less tangible political impacts. In practice, however, estimating the actual economic effects of the agreement is far from easy. We have to bear in mind the caveats regarding the small number of agreements that have been negotiated, and the phase-in periods for their full implementation.

These caveats notwithstanding, several factors can be expected to limit the impact of the agreements:

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enter a partner's market duty-free. This is particularly the case for an economy like Australia's that is heavily dependent on commodity exports. For instance, Australia's four most valuable exports to Thailand, accounting for 55% of the total value of Australian exports in 2005–6, were all minerals/energy resources, which would have entered the Thai market duty-free even in the absence of the Australia-Thailand PTA (Department of Foreign Affairs and Trade 2007). In aggregate, elaborately transformed manufactures constituted only 4% of Australia's total exports to Thailand in 2005–6; services contributed a similar percentage. The share (and total value) of Australian exports to Thailand potentially enjoying a tariff advantage by virtue of the bilateral trade agreement consequently was relatively small.

(2) The advantages created by PTAs may be offset by other factors.

The most obvious other factor affecting trade relationships is changes in exchange rates. The Australian dollar has appreciated by more than 20 percent against the US dollar in the two years since the Australia-US trade agreement was implemented, a figure more than five times the average US bound tariff on manufactured imports—a realignment that more than offsets any advantages bestowed by the PTA.

Reductions in tariffs may also have little impact if products face significant non-tariff barriers, a dimension of trade largely neglected by most PTAs to date (the notable exceptio ... iff barriers).

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(Estevadeordal, Harris and Suominen 2007; Manchin and Pelkmans-Balaoing 2007). Costs escalate when companies face multiple rules of origin in complying with the various PTAs that their government has signed—as is the case for Australian exporters who face different rules of origin for each of Australia's PTAs negotiated to date.

These costs often more than offset the preferential advantages created—(again recall that the average bound tariff on manufactures for industrialised economies is around 4 percent). The consequence is that companies simply do not bother with the paperwork required to gain concessions under the PTA. The most notorious example is the ASEAN Free Trade Area (AFTA) where less than five percent of total intra-regional trade takes advantage of the preferential tariffs created by the agreement (McKinsey and Company 2003). While the failure of companies to undertake the paperwork necessary to exploit the preferential advantages created by AFTA may be an extreme example, it is by no means atypical. In 2001, the weighted utilisation rate of preferences in US PTAs was 54%; for the preferences the US afforded to the Caribbean and Andean countries, the ratios were under 36% and 25% respectively (Lederman and Özden 2005: Table 1C). Carrere and de Melo (2004) estimate that preferential margins of at least 10 percent would be needed to compensate for the costs of complying with a typical value-added rule of origin under NAFTA. Similarly, Manchin and Pelkmans-Balaoing (2007) suggest that companies will undertake the paperwork required to take advantage of the
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of tariffs (and preferential advantages generated by PTAs) have to be put into context—in this instance the 100% markup that one typically finds in many areas of retailing.

Moreover, as students of industrial organisation know well, private companies' decisions on where to locate production, and from where to source supply, are driven by a variety of factors beyond the presence or absence of trade barriers. Take, for instance, the recent agreement that General Motors (GM) signed with the United Auto Workers in which GM committed itself to continued production and to the assembly of new models at specific factories in the US in exchange for concessions on health care benefits. Commitments to local workforces/communities, whether for economic, political or social reasons, are even stronger in Japan and Korea, and may easily outweigh the impact of marginal changes in costs brought about by removal of tariffs.

(4) The Erosion of Preferential Margins

Preferential Trade Agreements are, in Fred Hirsch's (1976) terminology, 'positional goods'. Those in possession of such goods derive maximum benefit from them when others do not have access to them (and have an incentive to attempt to deny others access to them—one reason for the restrictive rules of origin in many PTAs and for governments' lack of enthusiasm for negotiating agreements that are open to all, as Dee details in this issue of the journal). With the proliferation of preferential

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Impact on Foreign Direct Investment (FDI) Flows

The very significant increase of FDI inflows from the United States to Mexico immediately following the implementation of NAFTA led some commentators to suggest that conclusion of a PTA could be a positive stimulus to investment flows between partners, an issue that figured prominently in some discussions at the time of the Australia-US negotiations. While, again, it is early days in the implementation of the new Asia-Pacific agreements, there is no evidence to date that they have had an independent impact that will make any noticeable difference on aggregate investment flows. Even for large economies, a single major investment/divestment can significantly distort data on trends in foreign investment (for further discussion in the East Asian context see Ravenhill 2006a). So, too, can changes in domestic laws that are unrelated to PTAs—changes in US tax treatment of FDI led to massive outflows of US FDI from its PTA partner, Singapore, in 2005. And, in that FDI and trade are sometimes substitutes for one another, particularly where the motivation for investment is tariff-hopping to service protected domestic markets, the freeing of trade can have a negative effect on FDI.

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Much has been made of the fact that the increase in the number of preferential trade arrangements involving East Asian countries occurred in the wake of the financial crises of 1997–98. The crises have been seen as precipitants both of a new East Asian sense of identity and of a desire to act collectively to reduce perceived vulnerabilities. While a case can be made that the new cooperation on finance, embodied in the Chiang Mai Initiative, does represent a regional response of this type (albeit a weak one given the small sums involved—see MacIntyre, Pempel and Ravenhill 2008), the pattern of PTAs negotiated by East Asian countries does not support an argument that a new regionalism is developing. Indeed, exactly the opposite has occurred—if anything, the new PTAs have undermined the preferences given within the region's longest-standing preferential agreement, ASEAN.

A casual glance at Table 1 belies any argument that the new PTAs are reinforcing an East Asia regionalism. Fully two-thirds of the agreements signed by East Asian economies to date are with countries outside East Asia—the figure for those currently being negotiated or under study is even higher, over 80 percent. And as noted in the discussion of approaches to PTAs above, where East Asian economies have entered into PTAs with industrialised economy partners, these have had provisions for 'deeper' integration than the arrangements they have negotiated with one another. The consequence is that some ASEAN economies now afford more extensive preferential treatme ...) or to countrie ... agreement with the ... reements negotiat ... ASEAN-first principle ...

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Also evi ... of agreeme ... governm ... gements, with Sin ... stribution is not just ... s fourth largest e ... still accord it negotiating table are the region's low income economies (especially Cambodia, Laos and Myanmar, but also Indonesia and the Philippines). Their under-representation in the agreements is a reflection of the fact that they typically have relatively little to offer partners (although Indonesia is an exception given its natural resources), their lack of negotiating capacity, and partners' concerns about the lack of state capacity to enforce any agreement reached. While the low-income economies do benefit from the Generalised System of Preferences schemes offered by industrialised economies, these provide neither the comprehensiveness of coverage nor the legal security afforded by PTAs.

Who Concedes Most?

Globally, a consistent pattern is evident in PTAs: smaller economies typically concede more than their larger partners in negotiating these agreements.4 Both the EU and the US have extracted more concessions from their partners than they themselves have given up. We have seen similar outcomes in the Asia-Pacific region—witness the US agreements with Australia and Singapore, and Japan's agreements with ASEAN economies (see the article in this issue by Aurelia George Mulgan). But there has been one important exception to this generalisation about larger parties extracting the lion's

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WTO Plus?

A principal advantage over trade negotiations at the global level that many commentators saw for PTAs was that they would enable parties to negotiate ‘deeper’ integration, to go beyond existing measures at the WTO. Most of the PTAs negotiated in the Asia-Pacific region do contain some ‘plus’ elements—but often these provisions are very shallow.

As already noted, the agreements involving the United States go furthest beyond existing WTO commitments, and embrace a range of areas for further cooperation. Even the United States, however, has stepped back in several areas from the comprehensiveness of the provisions of NAFTA. Two are particularly notable: none of its recent agreements contains a side agreement on the environment, unlike the provisions in NAFTA for a North American Commission on Environmental Cooperation, which was established with its own secretariat. The US has also backed away from adding provisions to these agreements on investor-state disputes after Congress expressed concerns that foreign investors were enjoying rights through PTAs not available to domestic investors.

Compared with the US treaties, the WTO Plus provisions in other PTAs around the region are weak. The characteristic reference is to ‘cooperation’ on matters such as
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Foundations for Broader Regional Agreements?

To what extent have the new agreements laid the foundations for extension to additional participants? The answer is very little. Although some—notably those between Australia and Singapore, and Australia and Thailand—do make allowance for other countries' accession to the treaties, there are only two instances in the region where such a broadening of membership has happened. The first is within ASEAN, where the expansion of its membership to include Cambodia, Laos and Myanmar, brought three additional parties into the ASEAN Free Trade Agreement. The second is the Trans-Pacific Strategic Economic Partnership, an extension of the 'Pacific 3' PTA between Chile, New Zealand, and Singapore, that occurred when Brunei acceded to the arrangement in June 2005. In most of the other agreements around the region, the country-specific nature of the rules of origin significantly complicates their extension to other parties.

Promoting Domestic Structural Adjustment

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PTA strategies have questioned whether the agreements that Japan has signed, including that with Mexico, are consistent with the spirit of the WTO's provisions on regionalism.

The lack of specificity of the provisions within the WTO on PTAs, especially that related to the meaning of the requirement that 'substantially all the trade' between parties should be liberalised, and the failure of the Committee on Regional Trade Agreements to reach a judgement on the numerous agreements submitted for its consideration, has afforded countries the opportunity to exclude sensitive sectors from agreements—a process I have termed 'liberalisation without political pain' (Ravenhill 2003). And, of course, it has not just been Japan that has done so—witness the US exclusion of key agricultural sectors from its agreement with Australia, and, more surprisingly, its own acquiescence in Korea's exclusion of rice from the Korea-US PTA.

The negotiation of PTAs can increase both the external and the internal pressures for domestic structural adjustment with the expectation that such influences will enable more competitive sectors to realise potential gains from PTA negotiations. The success, however, of protectionist interests in ensuring that sensitive sectors are carved out of agreements given their often entrenched positions in decision-making structures, as George-Mulgan points out is the case in Japan, illustrates the limitations of such arguments. Those favouring a global approach to trade negotiations would argue that the logic ... pelling for negotiat ... interested parties t ... for competi

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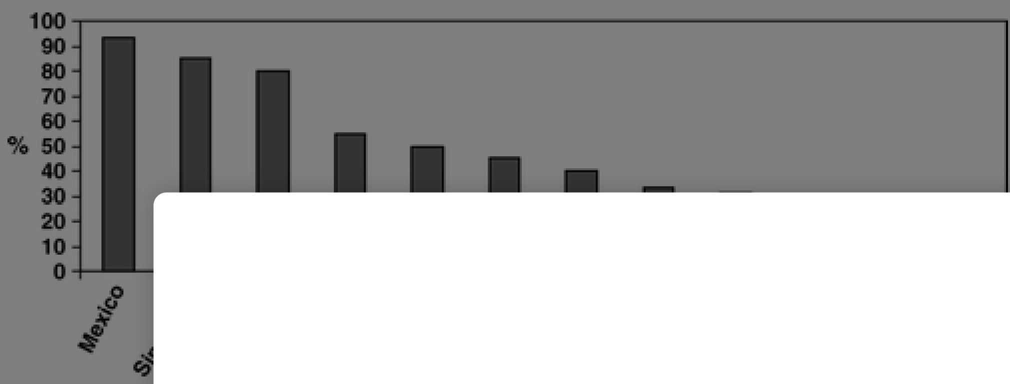
Where exporting interests have achieved free access to a large portion of their markets through preferential trade agreements, they will have few incentives to invest resources to lobby for liberalisation at the global level. And where access to foreign markets has been achieved through agreements where countries have been able to carve out sensitive sectors, they will have little incentive to undertake what—particularly in Northeast Asian countries—is politically risky lobbying in support of the dismantling of protection for sensitive sectors, particularly in agriculture. We have already reached the stage where a substantial share of the exports of some countries is covered by PTAs [Figure 2] (Mexico, Singapore, and the EU have been the most active negotiators of PTAs—should Australia conclude agreements with Japan, China and Korea, the share of its exports to countries with which it has PTAs will rise to 70 percent).

Figure 2. Share of Exports Covered by PTAs



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The proliferation of preferential trade agreements in the Asia-Pacific has yet to have any marked effect on aggregate trade and investment flows. That this should be the case, contrary to some of the wilder claims from economic modelling, is consistent with studies over the years that have emphasised the dominant role of the private sector rather than inter-governmental treaties in leading Asia-Pacific integration. It is also consistent with analysis grounded in basic knowledge about the region, especially in relation to the relative ease of movement of goods among countries given the availability of duty-drawback arrangements, free-trade zones and other mechanisms that have facilitated the development of regional production networks, and as a consequence of the very extensive unilateral trade liberalisation undertaken over the last quarter of a century.

Much international trade is already largely unhampered by border barriers (and PTAs generally fail—with the notable exception of negotiations on services—to address the arguably far more significant behind-borders barriers). Where significant border barriers do exist, they serve domestic political economy purposes that have so far proved largely resistant to the pressures from partners seeking to negotiate bilateral agreements. To date, the agreements negotiated around the region, with the exception of those involving the United States, do not have significant WTO Plus features: those involving China and ASEAN are typically WTO Minus. The agreements are of primary
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enthusiastic supporters had anticipated in promoting structural adjustment; indeed, in that governments have been able to exempt the most heavily protected sectors from liberalisation, the agreements may have had exactly the opposite effect by further entrenching protectionist interests. Few agreements negotiated in the region to date include significant WTO Plus provisions; those that do are primarily ones to which the US is a party—and its pursuit of the interests of its domestic pharmaceutical industry through PTAs threatens to do damage to the public health systems of partner states. To the extent that the agreements have had positive economic effects, these have been primarily in instances where governments have been pursuing ‘defensive’ interests, attempting to redress the damage done to domestic interests by preferential agreements their partners have signed with third parties. The pursuit of PTAs may not be an optimal policy approach, however, if damage limitation is the principal objective.

Additional information

Notes on contributors

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in different geographical regions. They continue to be labeled regional trade arrangements because all non-universal trade agreements are scrutinised by the WTO's Committee on Regional Trade Agreements.

2. According to the Asian Development Bank, in 2007 there were another 61 PTAs that had not been notified to the WTO, which involved the economies of East Asia, Oceania, and South Asia, where framework agreements and treaties had been signed or were under negotiation. A further 47 agreements had been proposed. Asian Development Bank, Asia Regional Integration Centre, Table 2. FTAs by WTO Notification and Status (cumulative), <http://aric.adb.org/2.php> (consulted 25 October 2007).

3. In addition, in 1975 seven countries–Bangladesh, India, Lao People's Democratic Republic, the Republic of Korea, Sri Lanka, the Philippines and Thailand—signed the 'First Agreement on Trade Negotiations Among Developing Member Countries of ESCAP', known as the Bangkok Agreement (renamed the 'Asia-Pacific Trade Agreement' in 2005), and in 1991 Laos and Thailand had concluded a preferential trade agreement. These agreements provided only very limited liberalisation of trade in goods. In Oceania, the Australia-New Zealand Closer Economic Relations Trade Agreement had been signed in 1983.

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The Causes of Regionalism
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