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An update on the preferential trade agreements of Asia-Pacific economies¹

APTIAD

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Asia-Pacific Trade and Investment Agreements Database (APTIAD) was established by ESCAP secretariat in order to provide a useful tool for observers and stakeholders (governments, researchers and policy analysts) to monitor and analyze the development of trade agreements in this new environment. APTIAD provides detailed descriptive information on the provisions of preferential trade agreements involving one or more economies from the Asia-Pacific region that are either signed, in force or under negotiation.

ESCAP uses APTIAD to monitor developments in the area of economic integration in Asia and the Pacific and to assess (a) trends in the creation of new preferential trade agreements (PTAs) as well as changes in the patterns and nature of the PTA landscape involving members and associate members of ESCAP, and (b) the relevance of PTAs for, and interaction with, regional and global trade. This note brings the latest status in the preferential trade agreements monitored by APTIAD:²

As of July 2016, there were 260 PTAs with membership from economies from the Asia-Pacific region which are either in force, signed or being negotiated. This number includes those agreements that have not been notified to the World Trade Organization (WTO) but for which official information is readily available as they have been ratified and are under implementation.

Review of the agreements results in the following findings:

1. The Asia-Pacific region continues to be the major contributor to the worldwide build-up of PTAs. Globally, there are 267 "physical" PTAs in force, of which 169 (63%) involve Asia-Pacific economies. In addition, there are 12 agreements that have been signed but not implemented as their ratification is pending and 78 PTAs which are under

¹ This note was prepared by Diego Llosa, intern, Rajan Sudesh Ratna, Economic Affairs Officer, and Mia Mikic, Chief Trade, Investment and Innovation Division of ESCAP. The views expressed in this note are of authors and may not necessarily reflect the views of the United Nations and its members. The authors would like to express special acknowledgement to Christelle Renard, Regional Trade Agreements Section, World Trade Organization, for her valuable comments about the status of some agreements under the WTO Regional Trade Agreements Information System (RTA-IS).

² APTIAD is freely accessible at <http://artnet.unescap.org/databases.html#second>. In addition to the commentaries and short notes such as this one, the platform also offers a comprehensive Glossary of related terms. All figures in this note, unless otherwise specified, are based on data and information in APTIAD.

different stages of negotiations. There is one agreement that was in force but was suspended due to political reasons since December 2011 (Association Agreement establishing a Free Trade Area between Turkey and the Syrian Arab Republic).³

2. Meanwhile, seven PTAs have been terminated (Table 1), signaling that the rationalization in terms of number of agreements might happen with a more serious effort as suggested many years ago in ESCAP (2009)(Table 1). This number includes six bilateral free trade agreements (FTAs) between the Russian Federation and its partners which were terminated as a consequence of formation of the Treaty on a Free Trade Area between members of the Commonwealth of Independent States (CIS) (entered into force in 2012) and the Eurasian Economic Community (EAEC). EAEC was subsequently replaced by the Eurasian Economic Union (EAEU), which entered into force in 2015 and its members included Armenia and all former EAEC members, except Tajikistan.

Table 1: PTAs removed from APTIAD

Agreement	Members	Year of entry into force	Year of termination	Source of information on termination
FTA Russian Federation - Armenia	Russian Federation, Armenia	1993	2012	WTO Document WT/REG/GEN/N/8 (date: April 1, 2016)
FTA Russian Federation - Belarus	Russian Federation, Belarus	1993	2012	
FTA Russian Federation - Kazakhstan	Russian Federation, Kazakhstan	1993	2012	
FTA Russian Federation - Kyrgyzstan	Russian Federation, Kyrgyzstan	1993	2013	
FTA Russian Federation - Moldova	Russian Federation, Moldova	1993	2012	
FTA Russian Federation - Ukraine	Russian Federation, Ukraine	1994	2012	
Eurasian Economic Community (EAEC)	Belarus, Kazakhstan, Kyrgyzstan, Russian Federation,	2000	2014	Decision of Interstate Council of EAEC No. 652 "On termination of the functioning of the

³ This count includes trade agreements put into force by the ESCAP member States and associate members excluding non-regional member States (France, the Netherlands, United Kingdom, and the United States).

	Tajikistan			EAEU" (date: October 10, 2014) ⁴
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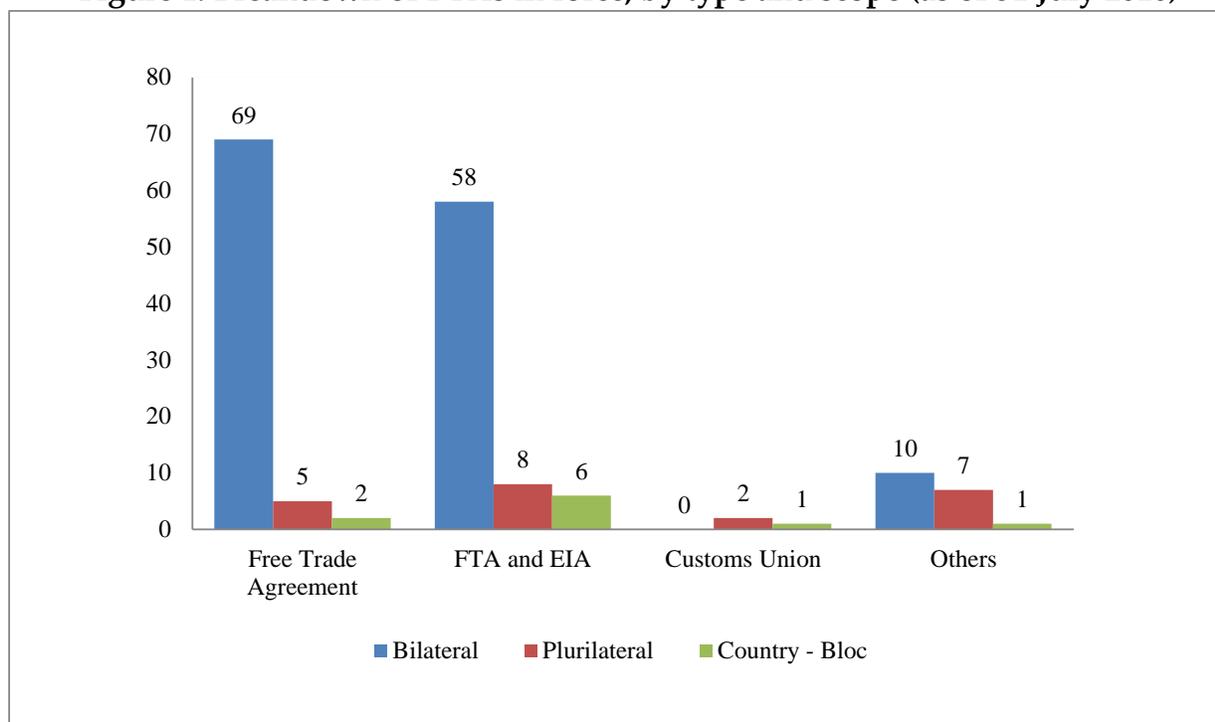
3. PTAs are categorized into different types based on the level of depth of liberalization and integration as well as sectoral coverage. Partial scope agreements (PSAs), allowed by the WTO rules only between developing countries, have the lowest level or ambition as members offer tariff concessions on a selected number of products or sectors. PSAs contrast free trade agreements (FTAs) in which tariffs and other trade barriers are eliminated on substantially all trade in merchandise goods in a reasonable length of time which usually should not be longer than 10 years. Similarly, economic integration agreements (EIAs) describe agreements through which parties offer preferential (ultimately free) market access in trade in services through a substantial coverage in terms of number of sectors and mode of supply. Customs unions (CUs) imply a higher level of integration because parties not only eliminate trade barriers on most or all trade in merchandise goods but adopt a common commercial policy towards third economies (including a common external tariff).⁵ According to this classification, 87.57% of the all PTAs in force in the region cover FTAs, and FTAs and EIAs. 10.65% of the PTAs in force are PSAs and only 1.78% of agreements are classified as customs unions (one of these customs unions - the EAEU - is also an EIA). Figure 1 shows a breakdown of these agreements (PSAs appear as "Others").
4. Most of the PTAs of Asia-Pacific economies are bilateral in nature (81%). Plurilateral agreements represent 13% of PTAs in force in the Asia-Pacific. The number of the parties in plurilateral agreements varies, with a maximum of 15 and minimum of 3 parties involved, with an average of 8.3 members.⁶ The rest of agreements are between an economy and an already existing trade bloc outside the region (like the European Union, MERCOSUR or GCC).

⁴ Available at <http://www.evrases.com/news/>

⁵ WTO (2011) World Trade Report 2011: The WTO and preferential trade agreements: from co-existence to coherence, Geneva. While this classification is used when countries notify their agreements to the WTO, there are few PTAs that go beyond these categories in terms of depth of integration, such as common markets. Common markets provide full movement of all factors within the PTA, including labor and capital. The ASEAN Economic Community and the EAEU are two examples of economic integration processes in the Asia-Pacific region under which members are working towards the common markets.

⁶ This calculation does not include the Agreement on the Global System of Trade Preferences among developing countries (GSTP), which is a PSA with 43 members. It is in force since April 1989. It covers developing countries from Africa; Latin America and the Caribbean; and Asia.

Figure 1: Breakdown of PTAs in force, by type and scope (as of 31 July 2016)



Source: ESCAP calculation based on APTIAD data

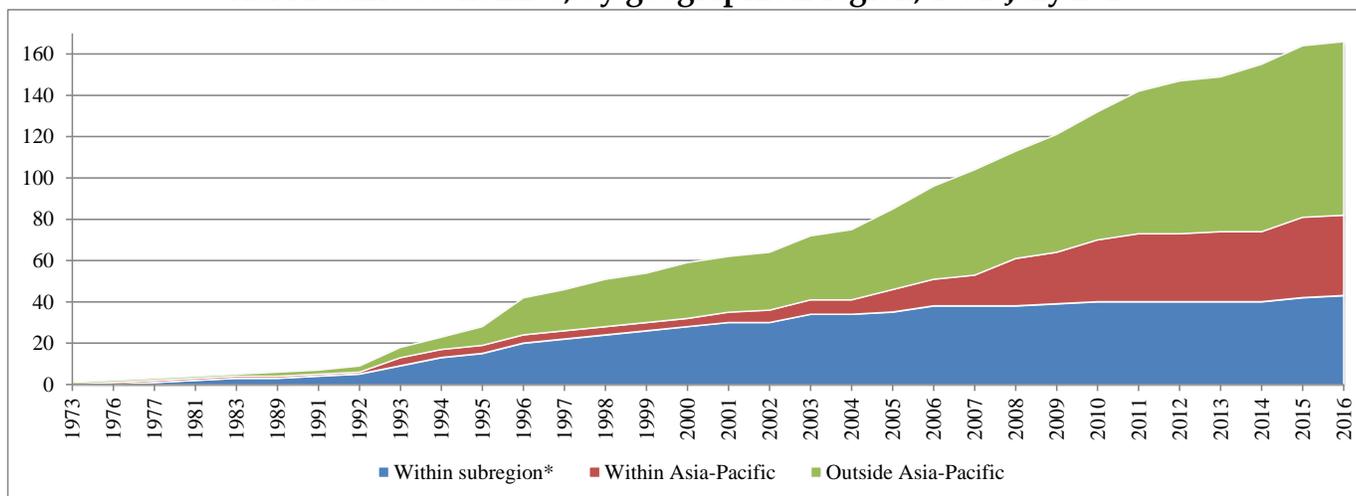
5. Until early 1990s most of PTAs were signed among the economies within the sub-region they belonged to⁷ and then the focus shifted to the other economies of the region as well as outside the Asia-Pacific region. At present there are 87 (51%) PTAs which Asia-Pacific economies have with economies outside the region. The trend to negotiate PTAs with economies outside the region (figure 2) shows the efforts by policymakers to seek additional access in non-traditional export markets, especially in a context of low global trade growth.

6. Noteworthy, as shown in figure 3, more and more PTAs in force are between developing economies, providing a dynamic force for South-South trade and cooperation. 72% of PTAs enacted by Asia-Pacific developing economies have membership including only other developing economies.⁸

⁷ The detailed list of subregional composition of economies is available at <http://www.unescap.org/sites/default/files/Economic%20and%20Social%20Survey%20of%20Asia%20and%20the%20Pacific%202014.pdf>

⁸ This is also due to the fact that in the Asia-Pacific only Australia, Japan and New Zealand are developed countries.

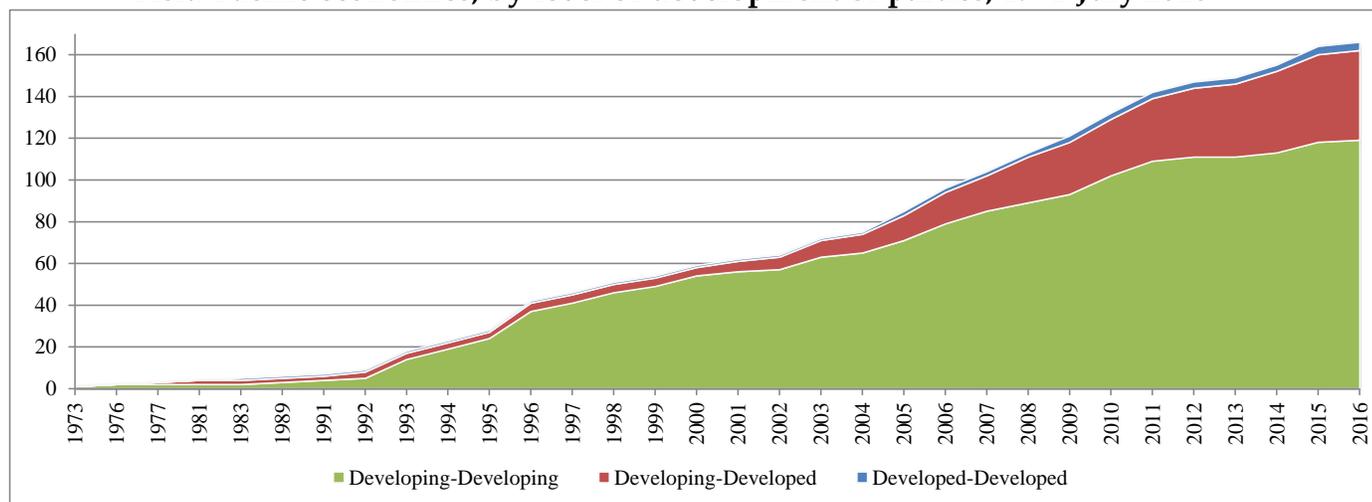
Figure 2: Cumulative number of PTAs (notified and non-notified to WTO) put into force by Asia-Pacific economies, by geographical region, 1971-July 2016



* Asia-Pacific members of ESCAP are grouped into five sub-regions: East and North-East Asia (ENEA); North and Central Asia (NCA); South-East Asia (SEA); South and South-West Asia (SSWA); and the Pacific.

Source: ESCAP calculation based on APTIAD data

Figure 3: Cumulative number of PTAs (notified and non-notified to WTO) put into force by Asia-Pacific economies, by level of development of parties, 1971-July 2016



Source: ESCAP calculation based on APTIAD data

Extent of trade with PTA partners

7. The trade data with PTA partners is based on the overall trade between the PTA partners as most of the economies in the region do not record or publish the preferential trade data. This thus indicates a higher value and share than the actual PTA trade. The extent to which economies in the Asia-Pacific region trade with their PTA partners varies considerably (figure 4). However despite a high number of PTAs, on average, the Asia-Pacific economies

as a whole, export only 33% of their global exports and import only 44% of global imports with their PTA partners during 2012-2014.⁹

8. From the export side, Brunei Darussalam leads the ranking of Asia-Pacific economies that exported the most to its PTA partners (97% of its exports directed to the PTA-partner economies). Brunei Darussalam is followed mainly by least developed countries (LDCs). LDCs in the region with a very high share of their exports to the markets of their PTAs partners are Myanmar (94%), the Lao People's Democratic Republic (88%) and Bhutan (87%). The Republic of Korea and Australia also record a high share of exports directed to their PTA partners (79% and 77% respectively). Some Pacific islands such as the Cook Islands, Kiribati (LDC), Marshal Islands, the Federated States of Micronesia, Tuvalu (LDC) and Vanuatu (LDC) have a very low share of exports with their PTA partners. These Pacific Islands have agreements only with other economies of the Pacific sub-region, including Australia and New Zealand. Mongolia also had a low share (0.4%), as it only has one PTA (FTA Japan-Mongolia, since 2016).
9. On the import side, the Lao People's Democratic Republic is ranked on the top with sourcing 95% of its global imports from PTA partners. The pattern of which economies are in the top or bottom of the import-share ranking is similar to the pattern presented in the export-shares. Indeed, following the Lao People's Democratic Republic, mainly LDCs exhibit a higher share of imports from PTA partners. Non-LDC ASEAN Member States also showed a high share of imports sourced from their PTA. Marshall Islands, the Federated States of Micronesia, Mongolia and Tuvalu are in the bottom of the ranking.
10. Comparing the shares of trade done with the PTA partners, one also observes that in case of certain economies the shares on import and export side are not symmetric. For example, 90% and 75% of imports of Nauru and Niue, respectively, come from PTAs partners (other economies from the Pacific sub-region), while their share of exports to PTA partners accounts only 34% and 19%, respectively. Similarly, 90% and 79% of Cambodia's and Viet Nam's imports come from PTA partners but only 24% and 41% of their exports goes to such economies. Other economies with a high difference between their import and export share with PTA partners are Bangladesh, Turkmenistan, Azerbaijan and Sri Lanka.

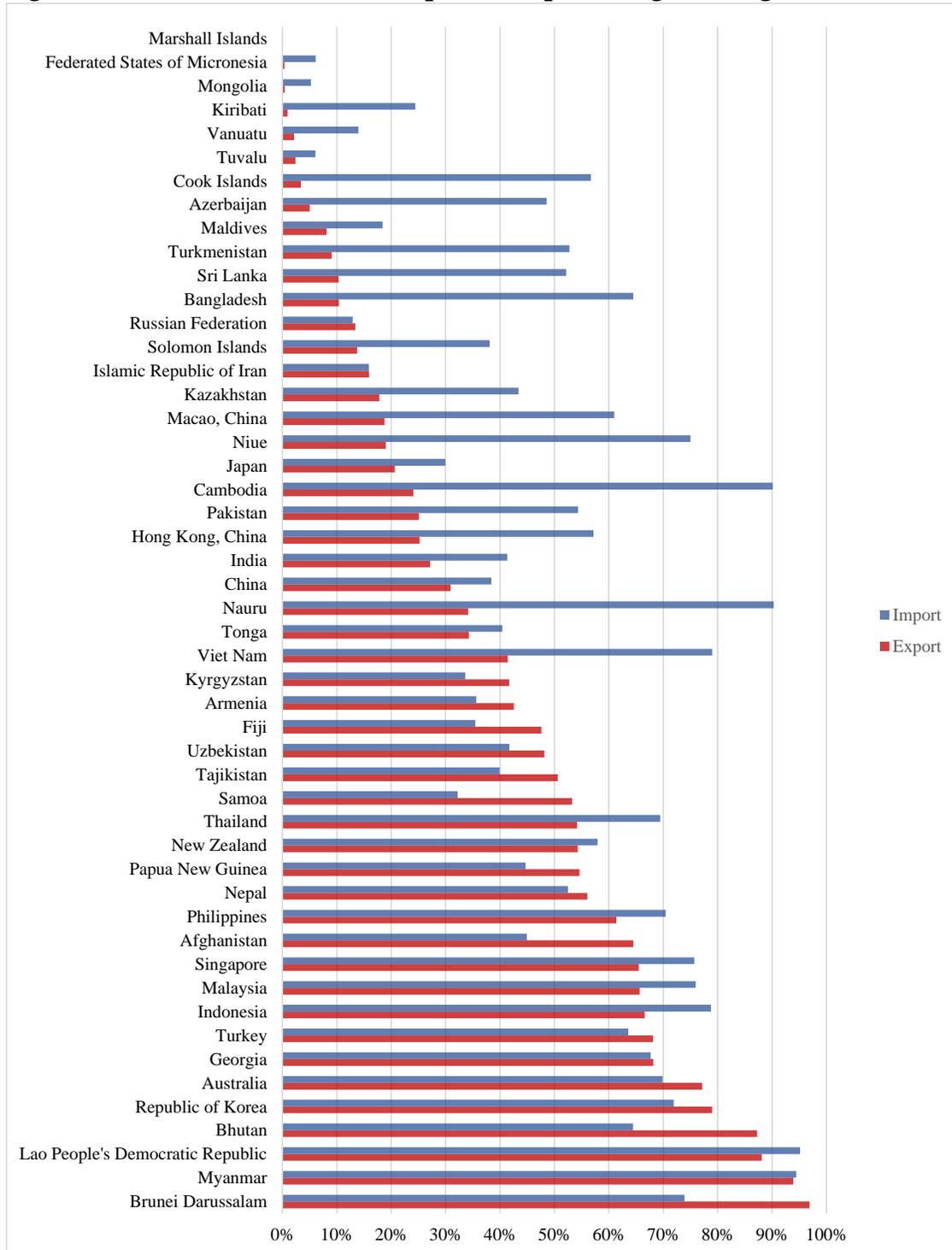
Comparing trade with PTA partners and the preferential trade data

11. ESCAP (2015 and previous issues) has argued on the usefulness of having preferential trade data in order to carry out a complete analysis of impacts from having PTAs. Unfortunately, most economies in the region do not have the preferential data, neither within the

⁹ This average includes American Samoa, French Polynesia, Guam, New Caledonia, Northern Mariana Islands, Palau and Timor-Leste which have no PTA in force and, therefore, no share of trade with PTA partners.

government domain nor in the public domain. Some developed economies provide publicly-available and updated statistics on preferential trade, which allows analyzing the level of utilization of PTAs. For example, based on statistics from the Interactive Tariff and Trade and Data Web of the United States International Trade Commission (USITC), it is possible to

Figure 4: Share of trade with PTA partners (percentage, average for 2012-2014)



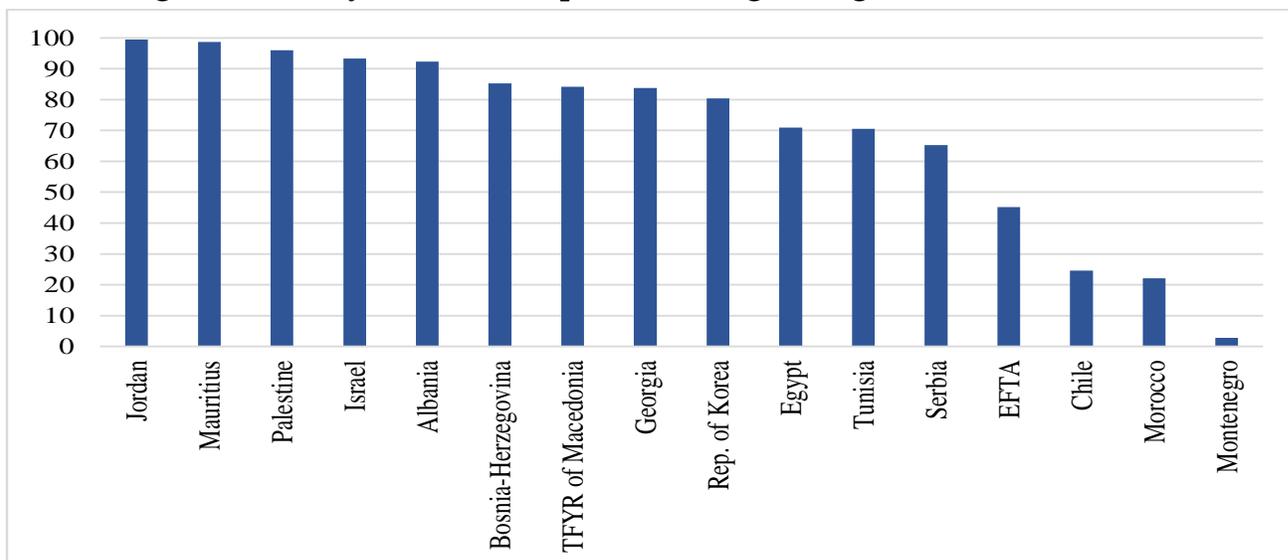
Source: ESCAP calculation based on United Nations Comtrade data from WITS and APTIAD databases accessed in August 2016

calculate the rate of utilization of the PTAs of the United States with Australia, Republic of Korea and Singapore (PTA partners of USA). In 2015, 46% of total USA's imports from Australia was covered under their bilateral deal, 23% under the Republic of Korea-USA FTA and only 8% under the Singapore-USA FTA. It is important to note that since the entry into force of these agreements, the utilization rates, despite being low, have been moving upward. Likewise, the statistical office of the European Union (Eurostat) also provides statistics at a disaggregated level. Based on these statistics, in 2015, 78% of total EU imports from Turkey was covered under preferences within the Association Agreement (custom union) between Turkey and the trade bloc (of which 98% was duty-free). EU's imports from other PTA-partners Papua New Guinea and Fiji also showed high utilization of preferences. 72% and 77% of total EU imports from Papua New Guinea and Fiji, respectively, was imported using negotiated preferences. In contrast, only 42% and 39% of total EU imports from Republic of Korea and Georgia, respectively, relied on using preferential access (of which 89% and almost 100% were duty free). Eurostat data also allows calculating how much imports eligible for preferences was carried out using the MFN regime and not the preferential one. For instance, while only 1% of EU's eligible imports from Papua New Guinea finished being imported at MFN duty rate, 17% of EU's eligible imports from Georgia were conducted under MFN terms (of which 5% was MFN duty-free and the rest paid MFN tariff). Further studies will be needed to understand the reasons for this result; possible explanations might include near zero MFN duties, too complex rules of origin, traders not being properly informed of the preferential trade opportunities, costs associated with complying with PTA provisions etc.

12. Some developing economies of the Asia-Pacific region do provide information relating to their PTA trade coverage. For example, during the sixth WTO Trade Policy Review of Turkey, Turkish authorities provided information about the percentage of imports in 2014 entering through EU-Turkey customs union and its FTAs in force by 2014. In the case of the EU, 98.7% of imports from the European bloc were preferential (of which 98% were industrial imports). With respect to Turkish FTA-partners, this percentage varied widely from 2.8% (Montenegro) to 99.5% (Jordan), as depicted in figure 5. Similarly, the Ministry of Commerce of Thailand provides information of its exports under PTAs. As shown in figure 6, in 2014, the rate of utilization ranged between 2% and 78% among the different PTA partners of Thailand.¹⁰

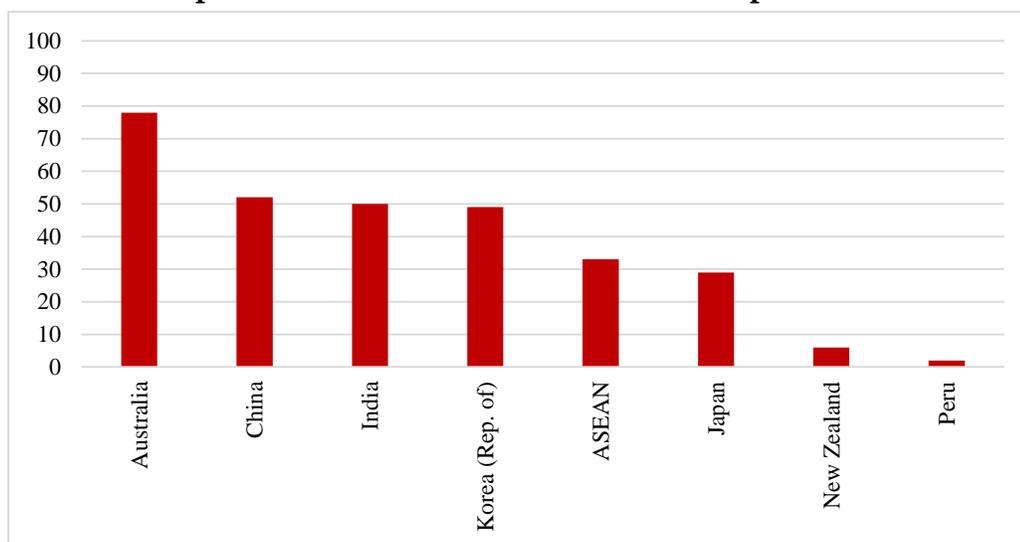
¹⁰ This calculation differs from the one provided in Thailand's Trade Policy Review - Report by The Secretariat (WT/TPR/S/326/Rev.1, of February 10, 2016) because the rate of utilization is calculated using total exports to the PTA partner, instead of exports of eligible goods.

Figure 5: Turkey's share of imports entering through the FTAs, 2014 (%)



Source: Trade Policy Review - Report by the Secretariat (WT/TPR/S/331/Rev.1, of August 9, 2016)

Figure 6: Thailand's preferential tariff utilization rate of exports under PTAs, 2014 (%)



Source: ESCAP calculation based on United Nations Comtrade data from WITS and data provided by Thailand's Ministry of Commerce during Thailand's WTO Trade Policy Review

13. As pointed out earlier, for Turkey and Thailand, the rate of utilization of trade agreements based on preferential data is different from the share of trade with PTA partners shown in figure 4. While ESCAP's calculation of Turkey's share of imports from PTA partners is 64%, in actual it is only 41.8% of Turkey's total imports that came from Turkey's PTA partners (using the preferential trade data). Similarly, in the case of Thailand, the share of exports to PTA partners is 54% (figure 4) however; only 23% of Thailand's total exports enjoyed tariff preferences under the PTAs. The reasons why these differences between rate of utilization

and share of trade exist would need to be analyzed case-by-case. However, this difference in preference utilisation can be mainly due to three causes. One reason is due to the fact that all PTAs have items on which no tariff concessions are granted and therefore there cannot be any preferential trade of these products. The second reason could be due to non-compliance of the preferential rules of origin criteria. Lastly, the duty free treatment on MFN basis that some countries provide on a large number of products and therefore utilizing the window of PTA does not make commercial sense due to additional cost of compliance to PTA rules. For example, 24.6% of Turkey's tariff lines are already MFN duty free. Likewise, many of the main trade PTA partners of Thailand, such as some ASEAN Member States (such as Singapore and Malaysia) and Australia already grant MFN duty free treatment to 50% to 100% of their total tariff lines.

14. In summary, the cases of Turkey and Thailand demonstrate how important it is for the developing countries to make an effort to start capturing the preferential trade data. This would not only help policy makers to better evaluate the benefits of each PTA and improve the utilization but also help them in taking more informed evidence based policy making while negotiating a new PTA or reviewing the existing PTA. This would also be useful for the private sector in seeking redressal through trade defence mechanisms under the PTAs.

Number of PTAs and import intensity

15. Asia-Pacific members of ESCAP are grouped into five subregions: East and North-East Asia (ENEA); North and Central Asia (NCA); South-East Asia (SEA); South and South-West Asia (SSWA); and the Pacific. Till July 2016, the economies in NCA subregion has most number of PTAs in force (56 PTAs), followed by the economies in ENEA (48) and SEA (45). However, as depicted in figure 7 (column a), while the share of PTAs with partners within the subregion with respect of total PTAs is higher in NCA (43% of all PTAs in force), the share is very low in the case of ENEA and SEA (8% and 4% respectively). In the case of number of PTAs with economies from the Asia-Pacific region as a whole, the Pacific subregion has the highest share (78%), nonetheless this is explained by the extensive network of PTAs concluded by Australia and New Zealand.¹¹ The Pacific subregion is followed by SEA (64%) and ENEA (58%). In contrast, SSWA and NCA subregions have 45% and 47% of PTAs in force with economies within the Asia-Pacific region. It means that the preference in these subregions has been to negotiate PTAs with economies outside the Asia-Pacific region. However, it should be highlighted that, for NCA, the PTAs with economies outside the Asia-Pacific are limited to

¹¹ The Pacific subregion has 23 PTAs in force, of which 5 PTAs are between economies within the subregion and 13 PTAs are between economies of the subregion with economies from other subregions of Asia-Pacific. Of the 18 PTAs of the Pacific subregion with Asia-Pacific economies as a whole, only two do not involve Australia-New Zealand (MSG and PICTA). The rest of PTAs has at least either Australia or New Zealand as one of the Parties of the PTA (SPARTECA, FTA Australia-Papua New Guinea and FTAs concluded by these two economies with ASEAN as a bloc and with other economies of the Asia-Pacific region).

bilateral and plurilateral agreements with Belarus, Moldova, Ukraine and Serbia. For SSWA, most of the PTAs with economies outside the Asia-Pacific are bilateral and country-bloc agreements negotiated by Turkey.

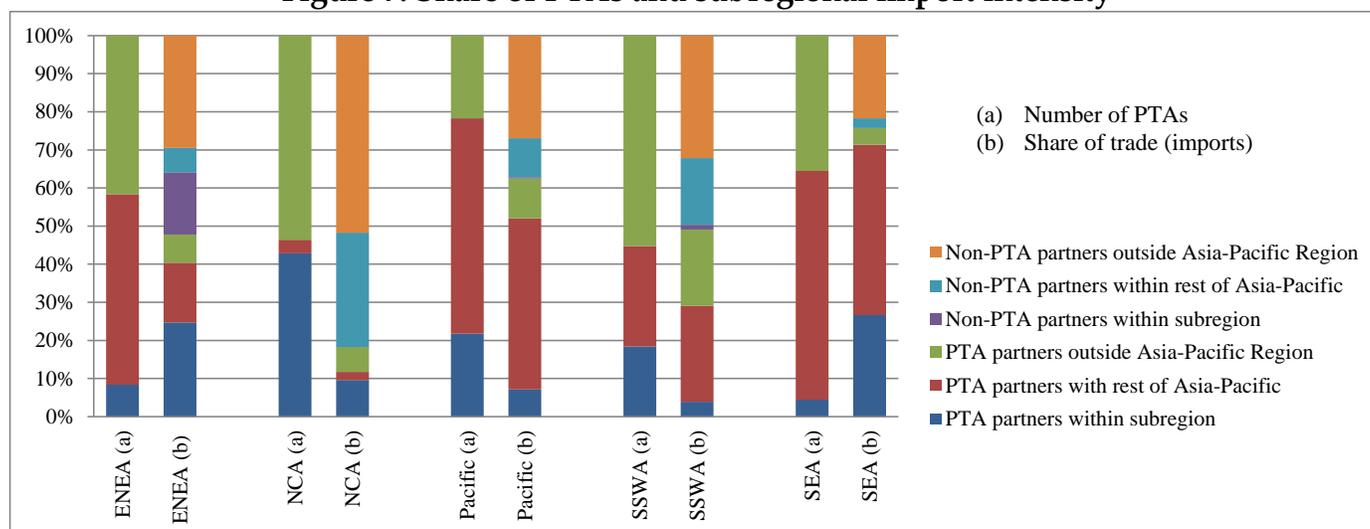
16. The pattern in the share of PTAs by subregion contrasts with the pattern in the share of trade, measured in terms of imports (average, 2012-2014). Except for ENEA, almost all subregional trade is between subregional PTAs partners. This is explained by the fact that all subregions, except ENEA, have at least one plurilateral agreement that covers almost all the economies that are part of those subregions.¹² Though ENEA and SEA have less PTAs with economies within their subregions (both in absolute and relative terms), the share of intra-subregional trade is the highest (figure 7, column b). In the case of ENEA, 41% of total imports is sourced from the subregion (from which more than half came from PTAs partners). SEA sources 26.7% of their total imports from the subregion, mostly under ASEAN Trade in Goods Agreement (ATIGA). In contrast, the subregion with more PTAs (NCA) shows that only 10% of total imports came from subregional economies. For SSWA and the Pacific, only 5.2% and 7.5% of total imports comes from subregional economies, respectively. It is thus evident that merely signing more and more PTAs does not necessarily enhance trading opportunities with those PTA partners.
17. With respect to trade with the rest of the Asia-Pacific region, the Pacific subregion imports the most from other Asia-Pacific economies. The share of imports from rest of Asia-Pacific economies (excluding the Pacific subregion) in total imports is 55.2%, of which 81% of imports is from PTA partners. This high share is explained by the fact that the two biggest economies of the subregion – Australia and New Zealand - have PTAs with their main trade partners in the rest of the Asia-Pacific region.¹³ The Pacific subregion is followed by SEA subregion (47.2% of total imports, of which 95% came from PTA partners). On the other hand, while 32% of total NCA imports comes from the rest of Asia-Pacific economies, only 7% was sourced from PTA partners. In the case of ENEA subregion, 22% of total imports came from other Asia-Pacific economies, of which 71% came from PTA partners. For SSWA subregion, 43% of total imports was sourced from the rest of the Asia-Pacific, of which 59% came from PTA partners.

¹² In the case of SEA, all economies of this subregion are members of ASEAN, except Timor-Leste. In the case of SSWA, all economies of this subregion are members of SAARC, except Turkey. In the case of the Pacific, all economies of this subregion are members of SPARTECA, except ESCAP Member State Palau and ESCAP Associate Members American Samoa, French Polynesia, Guam, New Caledonia and Northern Mariana Islands. In the case of NCA, all economies of this subregion are members of either the CIS Agreement (in force since 1994) or the Treaty on Free Trade Area between members of the CIS (in force since 2012).

¹³ Australia and New Zealand have bilateral FTAs in force with China, Republic of Korea, Malaysia, Singapore and Thailand. In addition, Australia has an FTA in force with Japan. Moreover, both economies and ASEAN as a bloc have an FTA in force. Both Australia and New Zealand signed TPP too.

18. As for share of trade from economies outside the Asia-Pacific region, NCA is the subregion with the higher share with respect to total imports (58%), but also the subregion with less trade transacted with PTA partners (only 11% of imports from outside the Asia-Pacific region). NCA is followed by SSWA (52%), but this subregion has the highest level of imports coming from PTA partners (38%). In the case of the Pacific subregion, 37% of total imports came from economies outside Asia-Pacific region, of which 29% came from PTA partners. 37% and 26% of total imports of ENEA and SEA, respectively, were sourced from economies outside Asia-Pacific region, of which 20% and 17% came from PTA partners.

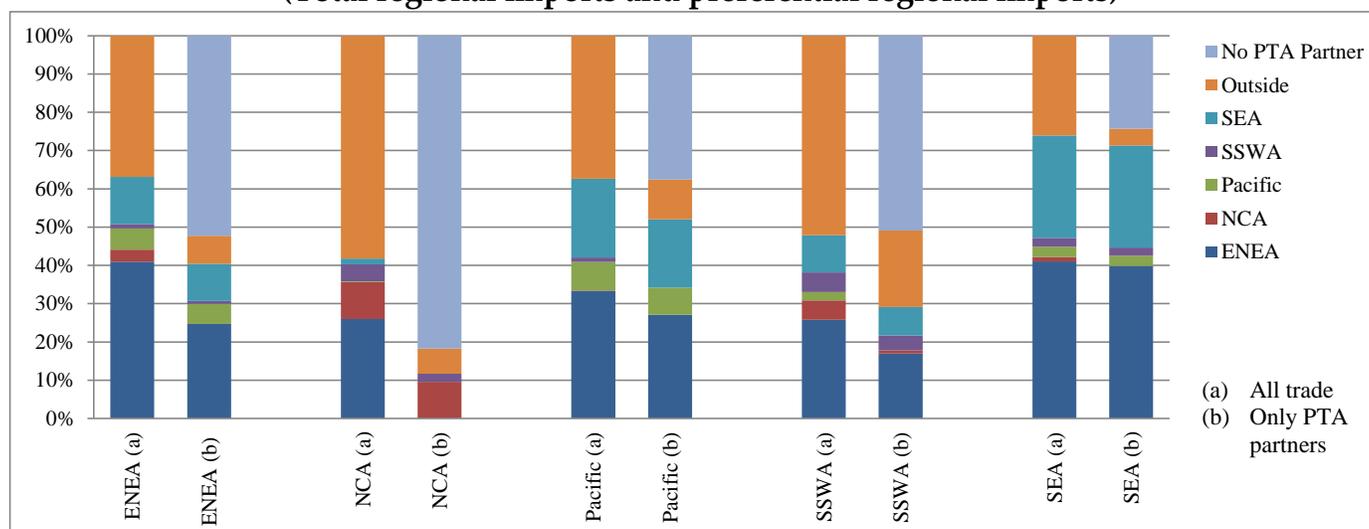
Figure 7: Share of PTAs and subregional import intensity



Source: ESCAP calculation based on United Nations Comtrade data from WITS and APTIAD databases accessed in August 2016

19. It is important to note that for all Asia-Pacific subregions, ENEA subregion is the main regional trade partner, due to trade with China (figure 8). On average, ENEA sources 33% of total imports from all five Asia-Pacific sub-regions. After ENEA, SEA is the second most important trade partner for all subregions (on average, 14% of total imports), except NCA (only 1.45%). Indeed, NCA is the subregion less integrated with the Asia-Pacific region. NCA subregion has a low participation in intra-regional trade and NCA economies do not have PTAs with Asia-Pacific economies outside their subregion, except for two PTAs with some countries in the SSWA subregion (the Economic Cooperation Organization Trade Agreement-ECOTA and the bilateral FTA Georgia-Turkey). The performance of NCA contrasts with SEA. 74% of total SEA imports comes from Asia-Pacific economies (mainly from SEA itself and ENEA) and almost 97% of these imports originates from economies with which SEA economies have a PTA in force.

**Figure 8: Import intensity, by subregion
(Total regional imports and preferential regional imports)**



Source: ESCAP calculation based on United Nations Comtrade data from WITS and APTIAD databases accessed in August 2016

Conclusion

20. We have demonstrated that there is no correlation between (a) the number of PTAs and the trade intensity within the subregion and (b) the share of trade with the PTA partners. This also demonstrate that in cases of some of the Asia-Pacific subregions, there appears a lack of application of economic logic in selecting PTA partners, as their share of trade with PTA partners is not significant. . This suggests that economies in the region should asses carefully the selection of trading partners for PTAs and the need to simplify the complex network of multiple PTAs (many times overlapping between them) in order to improve the regional economic integration process and make it more efficient and transparent.
21. We have highlighted the complexity associated with the ‘noodle bowl’ phenomena where countries sign many different agreements with the same group of countries. Globally, but particularly in the Asia-Pacific region, there has been a lack of effort by economies to abolish or annul bilateral agreements between economies that have moved on and signed regional or plurilateral agreements among the same set of economies (ESCAP, 2015). We have also proposed that once a larger PTA with more countries is signed, the bilateral PTAs and partial scope plurilateral should be nullified. Such a phenomenon was seen in past in the process of consolidation of EU, but never in Asia-Pacific. However, recently, an effort was noted in the process of formation of the Free Trade Area between members of the CIS where the economies in NCA subregion decided to nullify some of their bilateral PTAs (refer Table 1), which is a positive step towards a simpler and more transparent regional economic integration, and go in the right direction towards the consolidation of the PTAs, which ESCAP has been suggesting over the years in its policy recommendations. However, there are several other PTAs among the Parties of the CIS-FTA and EAEU that should have been terminated as

well, but these terminations have not been notified to WTO yet.¹⁴ However, these few examples clearly illustrate the need by Asia-Pacific economies to review all such PTAs and decide towards their termination which will make it easy for the traders to carry on their business in a more efficient way.

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¹⁴ For example, as per the APTIAD database (updated up to July 2016) the WTO-notified bilateral FTAs Armenia-Kazakhstan, Armenia-Kyrgyzstan, Armenia-Moldova, Armenia-Ukraine, Kazakhstan-Ukraine, Kazakhstan-Kyrgyzstan, Kyrgyzstan-Moldova and Kyrgyzstan-Ukraine.

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