

EU-ASEAN BUSINESS COUNCIL

The AEC Blueprint 2025: Recommendations for advancing economic prosperity

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Table of Contents

Introduction	3
Executive Summary	4
Suggested Short-term Recommendations/Goals for ASEAN in 2017	5
EU & ASEAN's Trade and Investment Relationship	7
Importance of ASEAN	9
About the EU-ASEAN Business Council	20



INTRODUCTION



Mr. Donald Kanak, Chairman, EU-ASEAN Business Council

The EU-ASEAN Business Council (EU-ABC) was established with one overarching goal in mind: to deepen and grow the existing trade and investment relationship between ASEAN and Europe. It is very pleasing to note, therefore, that Europe remains the number one source of Foreign Direct Investment to the region, and the second largest trading partner of ASEAN. It is equally pleasing to note that ASEAN remains the third largest trading partner of the EU outside of Europe. These facts clearly demonstrate the continued close relationship between the two regions, and geopolitical developments elsewhere in the world should, we hope, spur even closer relations between the EU and ASEAN.

In terms of trade relations, the EU-ABC welcomes the start of FTA negotiations between the European Commission and the governments of the Philippines and Indonesia. We hope that these FTAs can be concluded quickly and to a standard that is close to those already concluded with Singapore and Vietnam. They will represent a key step in the development of trade and

investment relations between the EU and ASEAN. Ultimately, we hope the European Commission and ASEAN will move ahead with a region-to-region FTA, something that, according to the results of the EU-ABC Business Sentiment Survey in 2016¹, the majority of European Businesses in South East Asia want and see significant benefit from.

The EU-ABC also sees strong added value for the ASEAN Region from the full implementation of the AEC Blueprint 2025. We sincerely hope that the ASEAN Member States will collectively achieve the objectives and goals of the AEC between now and 2025. We welcome the publication on 6th February 2017 of the AEC 2025 Consolidated Strategic Action Plan² (CSAP).

The CSAP, by setting out as a single document, lays out the key actions and timescales for the operationalisation of the AEC. This is a welcomed development and we are hopeful that timelines set out in the CSAP can be adhered or, ideally, even accelerated.

The EU-ABC has conducted a review of the CSAP and provided



EU-ABC BUSINESS SENTIMENT SURVEY 2016

some commentary and recommendations on it. These can be found on our website at <u>www.eu-asean-</u><u>eu/publications</u>. In this Paper, we have set out some key recommendations and concerns. Our comments are intended to be constructive and we believe will aid ASEAN and its Members States to boost intra-ASEAN trade, increase investment, and assist MSMEs in the region in growing their businesses and operations.

European businesses - many of them represented by the EU-ABC - are deeply committed to contributing to the goals of the CSAP as the ASEAN region seeks to develop and enhance its competitiveness and overall business environment. Collaboration between governments and the private sector is key to delivering the full potential of the AEC and achieve the goals of peace, prosperity and progress to which ASEAN and Europe aspires.

¹ See: <u>https://media.wix.com/ugd/63371b_234833b87cc24bf78a3622aa2c9acdc4.pdf</u>.

² See: <u>http://asean.org/aec-2025-consolidated-strategic-action-plan/</u>





EXECUTIVE SUMMARY

EUROPE CONTINUES TO BE THE SECOND LARGEST TRADING PARTNER OF ASEAN AFTER CHINA.

DGTrade, Trade in goods with ASEAN, November 2016 The EU-ABC welcomes the Consolidated Strategic Action Plan for the delivery of the AEC Blueprint 2025. The EU-ABC is especially pleased to note the firm timelines and identification of responsible bodies and working groups for delivery of the various AEC objectives.

We were also pleased to note in the AEC Blueprint 2025³ the several references to the need for more and enhanced dialogue and consultation with the private sector. In that regard, we again respectfully request ASEAN and its Member States to actively involve the EU-ABC in discussions at all levels on the development of policies, rules, regulations and standards aimed at achieving the full implementation of the AEC by 2025.

As is clearly recognised in the AEC Blueprint 2025, the AEC is a process. The CSAP provides a clear path for the introduction of all elements of the AEC blueprint and is a most welcome commitment from the Region. We urge ASEAN and its Member States to keep to the timelines included in the CSAP, so that international

businesses investing and trading in ASEAN will be able to see progress on the liberalisation of rules and regulations, thus making ASEAN an even more attractive place for future investment.

One key issue for all businesses across the ASEAN region, local and international, big and small, is that of Non-Tariff Barriers (NTBs). These remain prevalent in ASEAN and indeed growing, despite the commitment contained in the AEC Blueprint 2025 that "the immediate priority is to complete the implementation of measures unfinished under the AEC Blueprint 2015 by end-2016"⁴. One of those measures was, of course, the removal of all NTBs. Removing NTBs is key to achieving the full potential of the AEC. The Masterplan on ASEAN Connectivity 2025⁵, published in September 2016, set out a clear action plan to achieve this ambitious goal. It is an action plan that puts in a realistic timeline and methodology in place for the removal of NTBs. It also calls for extensive involvement of the private sector in this process. The EU-ABC welcomes the MPAC 2025 and the process for NTB removal that is outlined in it: we look forward to actively working with ASEAN on this process, both directly and through our Chairmanship of the ASEAN BAC Trade Facilitation Working Group and our participation in ASEAN BAC's NTB Steering Committee. We hope the timelines for this can be advanced.

Our ultimate aim is to further the trade and investment relationship between our two regions. A major milestone would be the establishment of a comprehensive ASEAN-EU Free Trade Agreement (FTA). We, therefore, support the negotiation of bilateral FTAs between the EU and ASEAN Member States that are currently ongoing. We also encourage the recommencement of negotiations where talks have stalled in recent years with other ASEAN Member States. With the apparent demise of the Trans-Pacific Partnership we see a real opportunity for the EU to enhance its position in ASEAN. A move to begin technical discussions on a region-to-region FTA would be most welcome, therefore.

The EU-ABC would like to express its gratitude to ASEAN for the opportunity to engage in an ongoing dialogue with our ASEAN partners and looks forward to working with ASEAN as it continues to develop and augment the AEC through the 2025 Blueprint and the CSAP.

³ See: <u>http://www.asean.org/storage/images/2015/November/aec-page/AEC-Blueprint-2025-FINAL.pdf</u>

 $^{^{\}rm 4}$ See paragraph 4 of the introduction to the AEC Blueprint 2025, ASEAN Secretariat.

⁵ See: <u>http://asean.org/storage/2016/09/Master-Plan-on-ASEAN-Connectivity-20251.pdf</u>

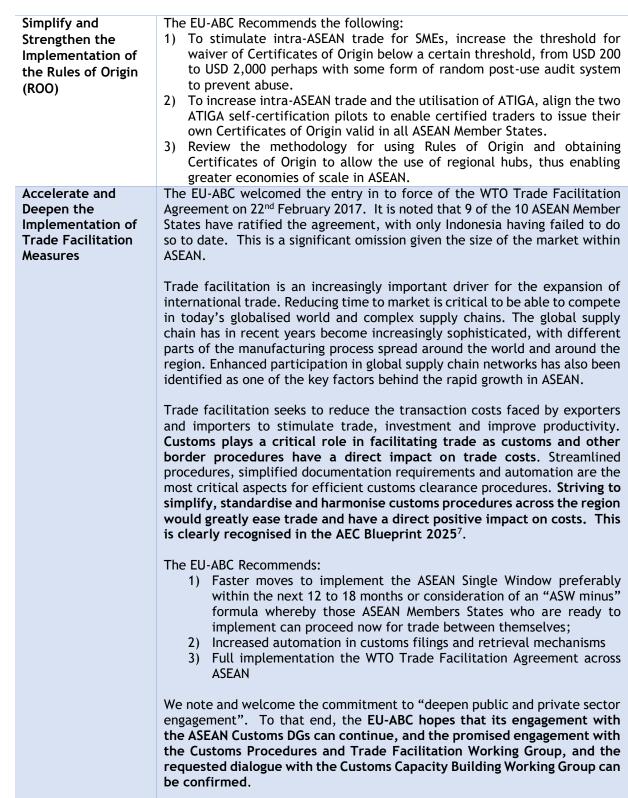


EU-ABC Views and Recommendations on CSAP

lssue	EU-ABC Views and Recommendations
Strengthening ATIGA, Removal of Non-Tariff Barriers & Harmonisation of	The EU-ABC recognises and applauds the great strides that ASEAN has taken to reduce and eliminate tariffs across the region. We encourage the acceleration of the process to remove remaining tariffs.
Standards	The EU-ABC notes that NTMs across the region have, unfortunately, increased disproportionately as tariffs have come down ⁶ . Whilst not all NTMs are Non-Tariff Barriers, it is likely that most are. NTBs remain a significant problem across ASEAN, inhibiting trade and economic development. The EU-ABC welcomes the road map and plans set out in the Masterplan on ASEAN Connectivity to identify and remove behind the border barriers to trade. We believe that the timelines and process set out in the MPAC are more realistic for dealing with this crucial issue.
	The EU-ABC also welcomes the commitment in the MPAC to involve the private sector in the process for the removal of NTBs and hopes that it will be able to play a role in the process.
	In order to promote trade and reduce any non-tariff measures that may occur, the governments across ASEAN should have a strong commitment to implementing and abiding by harmonised standards to avoid country specific requirements and different interpretation. The recognition and deployment of international standards (e.g. UNECE in the Automotive sector) should occur in parallel with both the work of the ACCSQ and the removal of NTBs. Moves in this area would greatly enhance the capability of ASEAN Member States to participate fully in Global Value Chains.
	The EU-ABC also welcomes the ATR and NTRs as a step in the right direction to enhance transparency on NTMs. The EU-ABC has been actively promoting the ATR and the related complaints portal, ASSIST.
	 We recommend: Speedier implementation of the work plan for the removal of the NTBs, and early involvement of Business Councils in the process of identification and prioritisation of NTBs Speedier development of harmonised standards across the region in multiple sectors as a means of tackling the issue of NTBs in ASEAN. Increased promotion by ASEAN of the ASSIST Portal Review of taxation and duty regimes to remove discrimination between international businesses and domestic operators thus removing another area of NTBs.

⁶ ERIA Report: Non-Tariff Barriers in ASEAN, Figure 2.2 - <u>http://www.eria.org/RPR-FY2015-01.pdf</u>





⁷ See Section II.A.1 Trade in Goods of the AEC Blueprint 2025





Trade in Services	The EU-ABC urges an acceleration of the liberalisation of Trade in Services in the region and the removal of existing restrictions in key sectors (e.g. ownership and control restrictions) to enable to the faster development of services across the region and increased competition. FDI to ASEAN has been increasing in recent years, with Europe leading the
	way. However, in order to remain attractive, ASEAN needs to demonstrate that the objectives of the AEC Blueprint 2025 are being sought out rapidly, with NTBs and restrictions on service industries being eroded.
	The EU-ABC will publish its third paper on the Insurance industry in 2017, with a focus on how insurance companies facilitate long-term sustainable investment in the region, as well as their key role in recovery from natural disaster. We will also for the first time issue a paper on the banking industry, and the need for increased liberalisation.
Investment Environment	The EU-ABC encourages the reduction and eventual removal of negative or reservation lists for investments by foreign entities. Putting in place ownership and control restrictions to reduce or prevent non-ASEAN investments distorts the market, can deny ASEAN entities access to capital and new technology, reduces FDI, and lead to reduced competition and therefore higher costs to consumers.
	Honouring or entering into Investment Protection Agreements would greatly enhance the standing the region has when it comes to attracting Foreign Direct Investment.
	The EU-ABC actively supports the ASEAN region with its goals of attracting more investment to the region. The EU-ABC will again, this year, be supporting and promoting the ASEAN Investment Forum in Frankfurt, Germany and other similar events.
Financial Integration, Financial Inclusion & Financial Stability	The EU-ABC welcomes all moves to further liberalise the financial services industry across ASEAN. We see a number of key areas that ASEAN needs to more rapidly address to ensure that the full potential of the AEC is realised. These include, but are not restricted to:
	 Easing cross border payments and money flows to enable intra- ASEAN trade and, in particular, to assist MSMEs in cross-border transactions;
	 Developing deeper and more comprehensive capital and bond markets to help with long-term investments which are all vital to the economic and social development of the region. Liberalisation of the banking sector to allow more foreign banks to enter ASEAN markets
	The EU-ABC welcomes moves to put in place enhanced and more efficient payment and settlement systems across ASEAN. Adoption of ISO 20022 is encouraged as advocated by SWIFT. A discussion paper has been published by SWIFT recently on regional financial integration in ASEAN, highlighting core problems that need to be addressed to progress towards financial integration of ASEAN markets.
	The EU-ABC will be publishing a new Insurance paper in 2017 which will, <i>inter alia</i> , look at the increasing access to insurance and the development of long-term investment vehicles.



Facilitating	Each ASEAN Member State should review its domestic legislation to ensure
movement of Skilled Labour	compatibility with the existing Mutual Recognition Agreements (MRAs) within ASEAN and help enhance the development of Human Capital to help ASEAN with its people-orientated and innovation objectives.
	Establishing programmes to allow MNCs to more easily move their staff around the region as part of internal management development programmes will help in the development of an internationally experienced talent pool in ASEAN.
Intellectual Property Rights	 The EU-ABC will be publishing a paper in 2017 on IPR and Illicit Trade. Amongst the likely recommendations in that paper will be measures to: Enhance the protection of trademarks and internationally recognised monikers, descriptive terms, and geographical indications (e.g. Scottish Whiskey; Appellation Controlee; Single Malt; Select Oak etc.) Promote increased public-private consultation for the development of IPR laws and enforcement action to protect against trademark infringement Promotion of increased intelligence sharing between the public and private sectors to help prevent illicit trade and counterfeiting of goods, including capacity-building initiatives Measures to review and enhance customs duties and taxation regimes
	 to disincentivise illicit trade, and ensure a more equitable taxation and duties regime, whilst also protecting government revenues. Protection of regulatory data as foreseen in TRIPS article 39.2 Accession of all ASEAN members to international treaties such as the Patent Cooperation Treaty (PCT) or the Paris Convention
Good Governance	Moves to entrench greater transparency and, enhanced dialogue and consultation with industry are extremely welcomed. As a general rule, we believe that prior consultation and communication leads to better regulations and more predictability for investors. Regulatory certainty is key for a conducive business climate. Involving the private sector in the development of new policies and regulations will help aid greater understanding and should ensure that any new rules or regulations are fair, transparent and implementable in a way that is clearly understood by all. Another measure to improve governance is to automate government services, especially in the customs and tax areas. We would recommend that: ASEAN commits to automating customs procedures by 2017; and, eliminates the need for duplicate hardcopy requirements.
	The EU-ABC welcomes the intention of "strengthening governance through greater transparency in the public sector and in engaging with the private sector". Early engagement and dialogue with the private sector is essential in Good Regulatory Practice.
	In addition, new or revised policies and regulations should be proceeded by robust, objective economic analyses. We would recommend that: ASEAN puts a mechanism in place that any trade or investment measure which impacts ASEAN integration is proceeded by a mandatory regulatory impact assessment; and, that the actual impact of any regulations are regularly reviewed with the private sector so as to ensure that there are no adverse or unforeseen negative impacts.



Enhanced Connectivity and Transport Facilitation The EU-ABC welcomes all initiatives to facilitate cross-border procedures and increase coordination between ASEAN countries. Connectivity is a critical aspect of ASEAN's competitiveness, and it will greatly help boost intra-ASEAN trade, facilitate growth of SMEs and connect ASEAN to global production networks and supply chains. Appropriate steps taken to remove restrictions and facilitate cross-border movement of goods will encourage trade and investment, improve productivity and lower business cost.

As stated in the ASEAN Strategic Transport Plan, cross-border shipments are often hindered by the lack of seamlessness for trucks servicing supply chains throughout the ASEAN region and the lack of harmonisation and mutual recognition of documentation, procedures and standards (e.g. duplication of customs documentation, absence of proper transit procedures, varying vehicle standards, drivers' licenses, insurance) for inter-modal and multimodal transport of goods. In particular, proper transit procedures for less-than-truck load (LTL) shipments are lacking in most ASEAN countries, which means that transit goods have to go through formal import and export procedures at each border crossing. Facilitating cross-border land and multimodal transport would help maximise the efficiency of logistics services and lower costs for consumers.

Currently, the ASEAN Customs Transit System (ACTS) is being piloted in Singapore, Malaysia and Thailand, with subsequent roll-out in the CLMV. However, this pilot is being undertaken on a reduced scale and the EU-ABC urges all parties involved to expand the pilot scheme as rapidly as possible.

In order to prepare for this important project, which will hopefully lead to concrete integration of the cross-border movement of goods between the land-connected ASEAN countries, there are some critical steps that could be undertaken in 2017. The EU-ABC believes that these proposals would not entail great cost for the individual ASEAN Member States, but bring significant momentum to ASEAN economic integration and benefits to ASEAN businesses.

Recommendations:

- Develop a proposal that advances the full ratification by all Member States of the ASEAN Framework Agreement on the Facilitation of Goods in Transit (AFAFGIT) and the ASEAN Framework Agreement on the Facilitation of Inter-State Transport (AFAFIST), including all related Protocols, to pave the way for the implementation of the ACTS;
- Develop a proposal that requires ASEAN Member States to provide a timeline for preparation and finalisation of national legislation that operationalises Protocol 7 of AFAFGIT as well as the ACTS;



Strengthening the role of the private sector

The EU-ABC is very pleased to see such a strong emphasis being placed on ensuring greater private sector involvement in the development of the AEC through the CSAP, and the various changes to rule, policies, regulations and standards that will be required across the region if ASEAN is to achieve its stated aims.

It is our view that increased private sector dialogue and consultation is essential to instill a greater sense of confidence in the broader business community in the AEC and its development. Involving Business Councils, such as the EU-ABC, will have the twin effect of both allowing international business and industry to better understand and see the progress that ASEAN is making on the integration agenda, and give ASEAN and its Member States increased access to sector expertise and experience from across a broad range of industries.

To some extent, elements of the dialogue and consultation that the AEC Blueprint 2025 depicts already exist. The EU-ABC, for instance, has a regular dialogue with the ASEAN Business Advisory Council, the ASEAN Economic Ministers and the ASEAN Finance Ministers and Central Bank Governors, though we note with some disappointment that some bodies within ASEAN remain less inclined to support private sector dialogue.

We feel that more focused working level engagement, either directly with ASEAN Member States at official level, or through the various ASEAN Working Groups, would bring greater benefit to both parties. We therefore welcome the commitment in the AEC Blueprint 2025 to "implement a more inclusive and consultative process involving the private sector"⁸ and for "relevant ASEAN bodies to institutionalise within each body a consultative process with lead private sector entities (business associations and business councils) ... to support the implementation under the sectoral work plans"⁹. Such engagements would lead to greater focus and ensure better follow-up on concrete achievables, which ASEAN could showcase as clear success factors towards its integration efforts.

The encouragement listed in the CSAP for ACCSQ and its working groups to engage more with the private sector is particularly welcomed. It is the view of the EU-ABC that there needs to be more involvement from various industry bodies and business councils in the working of the ACCSQ and its various working group. Industry can bring technical expertise and up to date information which can assist the ACCSQ in its work, whilst ensuring greater information sharing that can only benefit the private and public sectors.

We suggest that the ATF-JCC should be setting out clear and transparent procedures for the involvement of the private sector in various ASEAN bodies and working groups, and that the private sector should have a permanent seat at ATF-JCC meetings.

⁸ ASEAN 2025: Forging Ahead Together, p.90, paragraph 71(i)

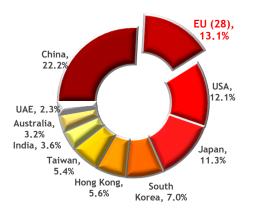
⁹ ASEAN 2025: Forging Ahead Together, p.90, paragraph 71(i)(b)

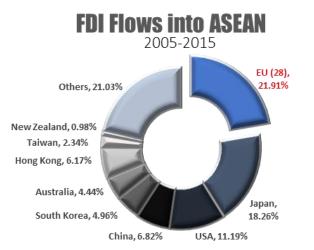


EUROPE & ASEAN'S TRADE AND INVESTMENT RELATIONSHIP



ASEAN TOP 10 Trading Partners 2005-2015



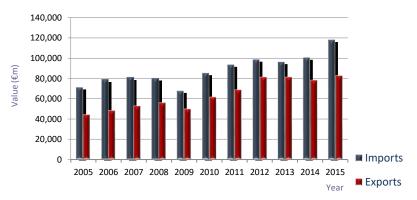






and ASEAN (2005-2015)

EU-ASEAN Trade in Goods 2005-2015





THE IMPORTANCE OF ASEAN

5.2%

Predicted average GDP growth rate in ASEAN 2016-2020

629m

Total population in ASEAN as of 2015 - with average growth rates of 1.3%

90m

Estimated number of people moving to cities in ASEAN by 2030

163m

Number of consuming households in ASEAN by 2030 - double the number of 2013

Sources: ASEAN Statistical Database; OECD; McKinsey Global Institute The ASEAN region is a centre of global economic activity and key driver of world growth. If the region were to be viewed a single economic entity ASEAN would be the world's sixth largest economy¹⁰, and by some projections rapidly heading to being the fifth largest ¹¹ and potentially the fourth largest.

ASEAN's growth rates have been remarkable and look set to remain so. Across the ten Member States the average growth rate has been above 5% in recent years. It is predicted to be 5.2% on average for the next five years¹² making ASEAN a continuing bright star in the global economy.

ASEAN itself, as a region, is a trading hub with the rest of the world. Nearly 76% of total ASEAN trade is with the rest of the world, with only 24% of trade being amongst the ASEAN Member States (compared to around 60% for intra-EU trade). The fact that intra-ASEAN trade is relatively low, and that ASEAN trades so much with the rest of the world, demonstrates two things of note for European businesses. First, there is huge scope for developing an intra-ASEAN strategy as, given the expanding economies in the region and the rapid economic and social development growth trends, the domestic markets in the region will grow rapidly. Secondly, ASEAN is demonstrably a place from where companies can set up manufacturing and production bases and then easily trade with the rest of the world -ASEAN's geographical position and its relatively low cost of production naturally lend itself to this position.

Some key characteristics of ASEAN today are:

- Growing economies (averaging 5+% per annum)
- > Favourable demographic dividend in most countries
- Improving education levels
- > Growing middle class and disposable income levels
- Significant infrastructure requirements (not just transport and power, but housing, utilities etc.)
- Low inflation
- Politically stable
- Geographically well-positioned

¹⁰ See: <u>http://data.worldbank.org/data-catalog/GDP-ranking-table</u>

¹¹ Redrawing the ASEAN Map, Table 2 "What if ASEAN were on country...", Economist Intelligence Unit 2014 - GDP 2013 was US\$2,398bn ranking ASEAN at 7th in the World; projected GDP in 2018 is US\$3,875bn ranking ASEAN at 5th.

 $^{^{12}}$ OECD, Economic Outlook for South East Asia, China and India 2016, Table 1, p.26



ABOUT THE EU-ASEAN BUSINESS COUNCIL

The EU-ASEAN Business Council (EU-ABC) is the primary voice for European business within the ASEAN region.

It is recognised by both the European Commission and the ASEAN Secretariat. Independent of both bodies, the Council has been established to help promote the interests of European businesses operating within ASEAN and to advocate for changes in policies and regulations which would help promote trade and investment between Europe and the ASEAN region. As such, the Council works on a sectorial and cross-industry basis to help improve the investment and trading conditions for European businesses in the ASEAN region through influencing policy and decision makers throughout the region and in the EU, as well as acting as a platform for the exchange of information and ideas amongst its members and regional players within the ASEAN region.

The EU-ABC conducts its activities through a series of advocacy groups focused on particular industry sectors and cross-industry issues. These groups, usually chaired by a multi-national corporation, draw on the views of the entire membership of the EU-ABC as well as the relevant committees from our European Chamber of Commerce membership, allowing the EU-ABC to reflect the views and concerns of European business in general. Groups cover, amongst other areas, Insurance, Automotive, IPR & Illicit Trade, Customs & Trade Facilitation, Healthcare and FMCG.

Executive Board

The EU-ABC is overseen by an elected Executive Board consisting of corporate leaders representing a range of important industry sectors and representatives of the European Chambers of Commerce in South East Asia. The Executive Board is led by its Chairman Mr Donald Kanak.

Membership

The EU-ABC's membership consists of large European Multi-National Corporations and the nine European Chambers of Commerce from around South East Asia. As such, the EU-ABC represents a diverse range of European industries cutting across almost every commercial sphere from car manufacturing through to financial services and including Fast Moving Consumer Goods high-end electronics and and communications. Our members all have a interest in enhancing vested trade. commerce and investment between Europe and ASEAN.

Our Members



To find out more about the benefits of Membership and how to join the EU-ASEAN Business Council please either visit <u>www.eu-asean.eu</u> or write to <u>info@eu-asean.eu</u>.







