



PECC Proposal:
Track 1.5 Process to Review and Update the CPTPP Chapter 14 on Electronic Commerce

Objective

Provide a set of recommendations to meaningfully contribute to the CPTPP General Review for Chapter 14 on Electronic Commerce (E-Commerce). This would be done through a Track 1.5 process leveraging the diverse networks at the Pacific Economic Cooperation Council (PECC) co-led by the Canadian National Committee for Pacific Economic Cooperation (CANPEC) and the Australian Pacific Economic Cooperation Committee (AusPECC).

Background

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is a free trade agreement between 11 economies in the Asia-Pacific: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam. To ensure that the CPTPP remains of the highest possible standard, and its disciplines continue to be relevant to trade and investment issues, [CPTPP](#) members have agreed for the general review of the CPTPP to begin in 2024 under the chairmanship of Canada. With oversight from the Coordinating Group for the General Review who will be informed by assessments at the Chapter level, a final report is expected to be presented to senior officials for discussion and confirmation, then referred to the 2025 Commission with a set of recommendations from the senior officials on next steps ([Government of Canada](#)).

Premise

As part of the General Review of the CPTPP, there is a requirement and an opportunity to review and update Chapter 14 on E-Commerce. This is an area that has undergone immense change and innovation over the last decade. In the CPTPP region, estimates show that E-Commerce has grown by [26%](#) between 2017 and 2025. With rapid advancements in digitalization and e-commerce, a multistakeholder review can provide recommendations to ensure the agreement can address the need for increased interoperability and new gold standards for the region. Recommendations produced may also look at other existing Free Trade Agreements and digital trade frameworks to identify best practices.

Articles in the Chapter which could be reviewed, strengthened or changed include:

- Article 14.5: Domestic Electronic Transactions Framework
- Article 14.7: Online Consumer Protection
- Article 14.8: Personal Information Protection
- Article 14.9: Paperless Trading
- Article 14.14: Unsolicited Commercial Electronic Messages
- Article 14.16: Cooperation on Cybersecurity Matters
- Article 14.17: Source Code

Proposal

As Canada and Australia are CPTPP Commission Chairs for 2024 and 2025 respectively, the PECC Committees from Canada and Australia could take the lead in convening a Track 1.5 multi-stakeholder process to contribute to the review and update Chapter 14. Drawing on the diverse network from PECC, consisting of all 11 CPTPP economies (excluding the United Kingdom, which is expected to accede December 15, 2024) and 14 additional member committees from the region, experts from the PECC network – regardless of economy – could provide diverse and comprehensive discussions on E-Commerce throughout the region.

Output

The end result would be a set of recommendations on how to enhance Chapter 14 (and related articles in other chapters if required) to be presented to the CPTPP Commission during Australia's Chair year in 2025. A key objective is to promote the enhancement of Chapter 14 so that it can contribute to more collaborative, open and integrated economies across the Asia-Pacific region.

Work Plan

1. Interested PECC Members to nominate an expert to participate in the Track 1.5 Process.
2. The designated chairing organization (the Chair) would circulate an initial set of questions and would solicit feedback from participants.
3. Two to Three meetings (In-person, Hybrid, or Virtual) will be held for discussion and review of the proposed recommendations. Prior to and following each round, the Chair would circulate a draft version of the recommendations incorporating recommendations from participants.
4. A hybrid or virtual meeting will be held in Australia to finalize the recommendations.

Timeline

Date (in PST)	Action	Location
October – November 2024	Solicit interest from PECC members and identify participants for the Track 1.5 Process	Virtual
27 November 2024	Kick-off event on the sidelines of the CPTPP Commission meeting in Vancouver	Hybrid Vancouver, BC, Canada
February 2025	Virtual meeting to review proposed issues to consider/recommendations	Virtual
March 2025	Hybrid or virtual meeting to finalise recommendations	Hybrid or Virtual
April/May 2025	Convey final recommendations to the CPTPP Commission Chair	Virtual (Electronically)