



# Trade Hot Topics

## Digitalising Trade Facilitation Implementation: Opportunities and Challenges for the Commonwealth

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### 1. Introduction

With the outbreak of the COVID-19 pandemic, as well as more frequent and large-scale natural disasters disproportionately affecting small and vulnerable economies (most recently Cyclones Harold in the Pacific and Amphan in the Bay of Bengal, which affected large areas of Bangladesh and India in May 2020), the trade facilitation agenda, with the World Trade Organization (WTO) Trade Facilitation Agreement (TFA) at its core, has acquired greater importance. The WTO and other international organisations have recognised the role that the TFA can play in addressing the unprecedented challenges posed by the pandemic, including the increased use of information and communications technology (ICT) solutions and, by resorting to key trade facilitation concepts, helping to mitigate the impact and disruptions to supply chains, transport and logistics systems.<sup>2</sup> The increased use of ICT systems that enable operators and traders to submit and process documents and payments electronically, or to use automated processes that

don't require human interaction, can also reduce the need for face-to-face contact and minimise the risk of further contagion. As the COVID-19 pandemic has demonstrated, the shift towards more paperless and contactless procedures, and the use of digital solutions and automated processes can ensure the continuation of safe, cross-border trade in circumstances where physical interaction is to be limited (or even forbidden). Electronic submission and exchange of supporting documents will enhance trade facilitation by expediting clearance processes while ensuring compliance with changing regulatory requirements.

The TFA has now been in force since 2017, and a review of progress in implementing the agreement underscores the importance of robust trade facilitation frameworks, as well as ways to modernise and adapt to changing needs and priorities. The COVID-19 pandemic and restrictive measures affecting ports and logistics, for example, highlight the need for efficient trade facilitation systems, especially for expediting the movement,

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<sup>2</sup> WTO, 2020.

clearance and release of essential medicine and equipment to address the current crisis and any future public health emergencies. Resilient supply chains require a seamless international trading system and the continuation of safe, fast and efficient cross-border trade. New technologies will contribute to this, providing valuable solutions for national trade facilitation systems to remain operational and functioning. For Commonwealth member countries, digital technologies provide an opportunity to implement multilateral obligations and be responsive to disruptions in the movement of goods, especially critical food and medical supplies.

Implementing the TFA helps countries to strengthen regulatory frameworks for more efficient border mechanisms. The formal meetings of the WTO Trade Facilitation Committee provide a valuable platform for countries to share experiences and exchange information on the implementation of specific commitments, including the adoption of digital technologies to streamline trade flows. Notifications received by the committee keep the WTO membership updated on the status of reforms, in which the main challenge is obtaining support for capacity-building through technical assistance projects so that countries that are further behind can bridge the technology gap.

This process is facilitated by an innovative aspect of the TFA: the flexibilities accorded to developing countries and least developed countries (LDCs) enable them to schedule implementation of the provisions in accordance with national capabilities, and, for 'Category C' provisions, conditioned on receipt of technical assistance. In projecting the majority of needs for capacity-building, the Trade Facilitation Agreement Facility (TFAF) calculates that approximately 65 per cent of all commitments are integrated into the current implementation timeframe.<sup>3</sup> Nevertheless, performance remains patchy and countries still face challenges in fulfilling notification obligations, as well as securing the necessary assistance to develop long-term reforms.

In parallel, some WTO members have initiated discussions on regulatory aspects of cross-border

e-commerce and digital trade under the framework of the 'Joint Statement Initiative on Electronic Commerce', in which a handful of Commonwealth countries are participating.<sup>4</sup> These discussions have explored the interplay between policies for cross-border e-commerce and trade facilitation with an emphasis on paperless trade and digital trade facilitation and logistics – a timely and strategic approach considering that new technological solutions will shape the future of trade facilitation reform. Some topics covered include paperless trading/electronic trade administration documents; electronic transferrable records; customs procedures; improvements to trade policies; enhanced trade facilitation; *de minimis*; single windows data exchange and system interoperability; electronic availability of trade-related information; use of technology for the release and clearance of goods; and logistics services.<sup>5</sup>

The success of new 'digital' arrangements rests on the ability of countries to first implement modern and long-lasting trade facilitation frameworks. Under an enhanced trade facilitation agenda, measures that encompass 'paperless trade', digitalisation and policy automation provide ways to deliver beyond the TFA. With the arrival of the fourth industrial revolution, emergent technologies present novel options for countries to meet their commitments and further the efficiency objective that underlies trade facilitation.

In this issue of Trade Hot Topics, we argue that effective trade facilitation reform and implementation<sup>6</sup> can be accomplished through institutional adoption of digital technologies and learning best practices from the leading performers among Commonwealth members. Countries such as Singapore and Australia have very early on incorporated paperless and digital trade components into their trade facilitation frameworks (with, respectively, 94.6 per cent and 93.6 per cent rate of implementation of "WTO TFA+" measures comprising paperless trade procedures).<sup>7</sup> Such modernisation is of special importance for Commonwealth countries that are still in the inception stages of implementing digital

3 2019 estimate.

4 Australia; Brunei Darussalam; Cameroon; Canada; Kenya; Malaysia; New Zealand; Nigeria; Singapore; United Kingdom.

5 IISD, 2020.

6 This paper uses the WTO definition of trade facilitation: "the simplification and harmonisation of international trade procedures", where trade procedures are the "activities, practices and formalities involved in collecting, presenting, communicating and processing data required for the movement of goods".

7 UNCTAD, 2020.

trade facilitation frameworks and thus require support for capacity-building. With increased modernisation, they will be able to implement up-to-date trade facilitation reforms and adopt trade facilitation solutions with a digital component, preparing for the next steps in the digital revolution and its increasing impact on trade policies. To ensure long-term impact, the comprehensive technical assistance component of the TFA can and should be used as a catalyst for co-operation between Commonwealth member countries. Capacity-building towards TFA implementation that encompasses and incorporates the new trends in digital trade facilitation will ensure that the reforms implemented are resilient, long-lasting and respond to evolving needs and obstacles faced by traders and operators (for instance, the emergence of a global pandemic such as COVID-19).

## 2. Digital technology for trade facilitation reform: Toward 'TFA+'?

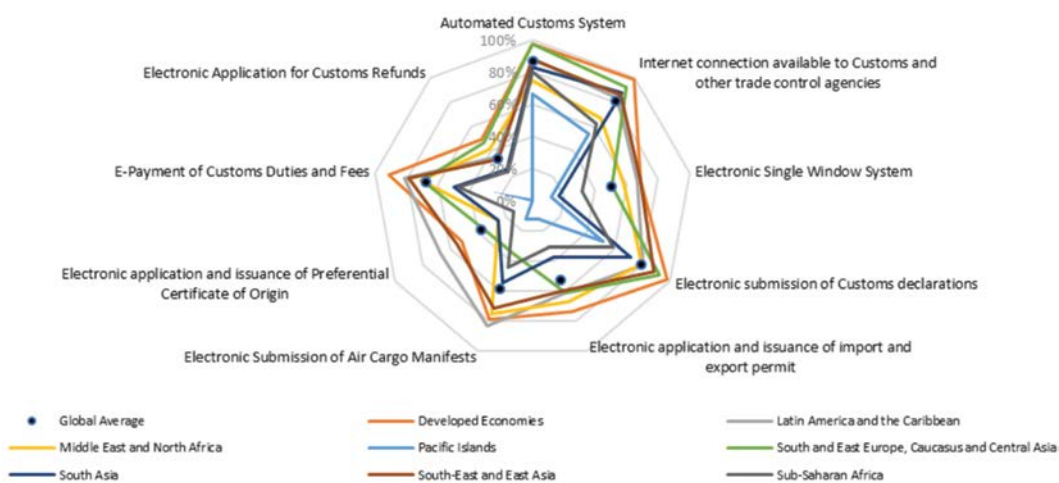
For many Commonwealth member countries, the TFA is about much more than simply compliance with a multilateral trade agreement; it is also an exercise in digital transformation. The 2019 United Nations (UN) global survey on digital and sustainable trade facilitation provides data on the rate of progress toward implementation of TFA commitments plus additional measures guided by the UN treaty, the Framework Agreement on Facilitation of Cross-Border Paperless Trade in Asia and the Pacific. Certain measures for 'paperless trade' and 'cross-border paperless trade' are not

specifically required by the TFA and represent an enhanced implementation of the agreement: the so-called 'TFA+'.

Trade facilitation implementation and the adoption of digital technologies can no longer be thought of as distinct silos. Under a TFA+ agenda, measures respond to the new technological realities of trade and customs, primarily the potential of digital technology for improved policy delivery. Reforms for 'paperless trade' include the deployment of electronic systems for customs automation, payments of duties/fees and the establishment of a national 'single window' (SW) – an obligation under Article 10.4 of the TFA.<sup>8</sup> According to the 2019 UN survey results, measures for paperless trade have progressed to an average global implementation rate of 63 per cent. By region, the Pacific Islands, including Commonwealth member countries, have the most potential to transform their trade facilitation measures with digital technology.

Efficient customs administration is critical and digital solutions for trade facilitation rely on different national models for the planning and adoption of systems. For example, India has developed its national single window 'in house', while Singapore, an international pioneer of digital technologies for trade, employs a privately developed SW platform (CrimsonLogic). Revenue collection may be an initial priority for governments, especially for small island developing states (SIDS). For instance, after implementing an automated system for customs data (ASYCUDA), the Solomon Islands Customs authority was able to collect a

Figure 1: Global implementation of 'paperless trade' measures



Source: The UN Global Survey on Digital and Sustainable Trade Facilitation, untfsurvey.org, 2019.

8 UNESCAP (2018) generally defines a single window (SW) system as "an electronic facility that allows parties involved in international trade and transport to submit all information needed to fulfill trade-related regulatory requirements at once and at a single-entry point. This digital trade facilitation measure aims at reducing the regulatory burden for traders when completing import, export and transit-related procedures."

country-record S\$1 billion in revenue. An example of Commonwealth co-operation, the adoption of the system resulted from a trade facilitation and regional integration programme funded by the Solomon Islands government with support from the Australian Department of Foreign Affairs and Trade. With the increased need for digital systems and the complexity of their development, trade facilitation reform is both a digital opportunity and a co-ordination challenge.

There is potential for countries to go even further with 'cross-border paperless trade' measures that cut red tape and help traders to overcome non-tariff barriers. These advanced measures include specific legal frameworks – laws and regulations – for electronic transactions (e.g. e-commerce law) – and the use of electronic sanitary and phytosanitary (SPS) certificates (e-phyto) that can be electronically exchanged to support agricultural trade between countries/regions. Such a system is in operation between Australia and New Zealand, enabling the full electronic exchange of the SPS certificates between the regulatory agencies in each country (respectively, the Australian Quarantine and Inspection Service and the New Zealand Food Safety Authority).<sup>9</sup> Similarly, Samoa, Sri Lanka and Ghana, three Commonwealth members from different regions, were pilot countries for the implementation of the Generic E-Phyto national system, a novel paperless-based mechanism which facilitates the exchange of certificates electronically to ensure plant safety and protection for safe cross-border trade in these products and ensure safe standards in the arrival and clearance of plants.<sup>10</sup> These mechanisms allow for enhanced compliance particularly when dealing with highly regulated goods (requiring SPS certificates), and allowing the electronic exchange of data between the authorities not only reduces times and costs involved but also reduces the

scope for engaging in irregular forms of trade, thus enhancing the safety of trade in these particular products.

Technologies can also support institution-focused trade facilitation measures: Enterprises in Authorised Economic Operator (AEO) programmes can benefit from novel security approaches and country-level transparency requirements can be exceeded via digital notification and automation.<sup>11</sup> However, on a global level, the implementation of cross-border paperless measures has a rate of progress of just 38.6 per cent, on average.

New technologies are changing the way governments establish systems and may ultimately shape new solutions for trade facilitation and government-to-business (G2B) interaction. Artificial intelligence (AI) and blockchain technologies are emerging as solutions to automate processes and improve trust. The use of AI and open approaches can allow for better integration between third-party private and public systems. The latest machine-learning techniques can power data transformation and analysis processes. Supply chain approaches are beginning to include smart contracting, the 'Internet of things' (IoT), 'big data' and advances in networking technologies. Less far along for trade facilitation, government 'Rules as Code' initiatives – to provide 'user friendly' and functional versions of policies – are being rolled out in several Commonwealth countries, including Australia, Canada and New Zealand.

Beyond the adoption of technologies and systems, it is necessary to take interoperability into account. Interoperability implies that disparate systems can effectively allow for submission/transmission and processing of documents and/or data to maximise the benefits for enterprises in individual member countries and for intra-Commonwealth ties. The use of global and open standards plays a key role

**Table 1: Progress of global implementation trade facilitation measures**

Cross-border paperless trade	Paperless trade	Institutional arrangement and co-operation	Formalities	Transparency
38.6%	63.0%	67.9%	75.3%	78.7%

Source: *The UN Global Survey on Digital and Sustainable Trade Facilitation*, [unfssurvey.org](http://unfssurvey.org), 2019.

9 Australian Government, Department of Agriculture, Water and the Environment, 'Electronic Certification (eCert) for imports'.

10 UNESCAP, 'The IPPC ePhyto Solution: Implementing the Generic ePhyto National System (GeNS) in the Asia and Pacific Region'.

11 According to the UN Trade Facilitation Implementation Guide: 'An Authorized Economic Operator (AEO) is defined by the WCO SAFE Framework of Standards as a party involved in the international movement of goods, in whatever function, that has been approved by, or on behalf of, a national Customs administration as complying with WCO or equivalent supply chain security standards.'

in ensuring interoperability. All Commonwealth countries must look at trade facilitation through a broader lens to understand how digital technologies will ensure the long-lasting effectiveness of any modern reading of the trade facilitation agreement.

### 3. Implementation challenges in the Commonwealth<sup>12</sup>

National ratification is the first step toward implementation of the TFA. For Commonwealth member states yet to ratify the agreement, individual country processes are at an advanced stage. To fully benefit from available technical assistance mechanisms, constituencies and stakeholders can engage in awareness building and advocacy to expedite ratification at the national level. Avoiding ‘stakeholder fatigue’ is possible, and successful national trade facilitation agendas require that reforms are understood, disseminated and applied by all parties involved.

Strategic outreach with national political ownership is necessary to ensure that results and feedback from new measures for trade facilitation are properly monitored. Of the eligible Commonwealth member countries, 79 per cent (30 of 38 countries) have notified requests for capacity-building. Across the Commonwealth, requests for assistance related to the deployment of a single window were the most frequently received. Of the 30 member countries that notified a need for capacity-building, 29 countries (about 97 per cent) made a request for support in establishing a national single window.

In Asia, the five most frequently requested measures to receive support for capacity-building – single window, border agency co-operation, authorised operators (e.g. AEO), post-clearance audit and risk management – were requested by each eligible Commonwealth member country. In the Caribbean, the most requested measures were advance rulings and single window. In the Pacific, support for capacity-building in the implementation of authorised operators and risk management

schemes were the most frequently requested. The most frequently requested measure in the Africa region was for the implementation of a single window. The commonalities across the Commonwealth as a whole, and within regions, reflect the need for a targeted approach to address gaps, and the fast-track implementation of digital technology-enabled commitments.

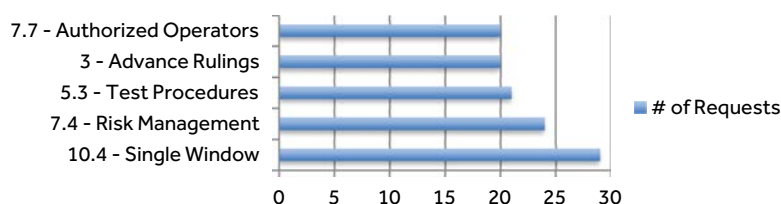
### 4. Navigating the trade facilitation ‘policy-technology’ mix

The intertwining of trade facilitation reform and the adoption of digital technology presents both an opportunity and a challenge for Commonwealth member countries, especially small states. Approximately 97 per cent of Commonwealth countries that notified Category C commitments made a request for support in establishing a single window system. As the single most reported obstacle to full implementation of the Trade Facilitation Agreement, future deployments of SW systems provide member countries with a chance to ensure interoperability via compatible technologies. Although complementarity between policies should remain central, novel mechanisms and technologies will significantly shape future regulatory frameworks of relevance to trade facilitation.

Full implementation of the TFA will not be the sole factor that enables the Commonwealth to realise its trade potential, but there is compelling evidence to suggest that “a 10 percent reduction in the costs incurred for a good to exit a country can increase intra-Commonwealth exports by 5 percent”.<sup>13</sup> There are commonalities in the gaps to TFA implementation and, although more than 90 per cent of eligible Commonwealth countries have ratified the agreement, most member countries still require support to obtain technical assistance.

There are several prospects for the Commonwealth to co-operate on trade facilitation implementation. These include support for ratification of the TFA by the two remaining Commonwealth members

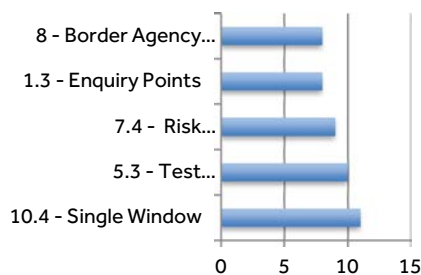
Figure 2: Most frequently requested measures to receive support for capacity-building



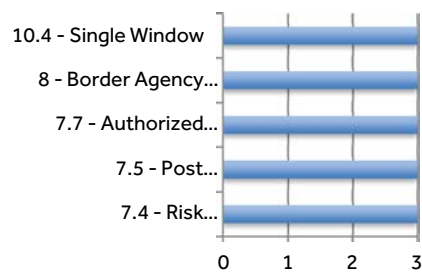
12 Author estimates based on WTO Trade Facilitation Agreement Database (TFAD) data, May 2019: <https://www.tfadatabase.org/>  
 13 Commonwealth Secretariat, 2018.

**Figure 3: Most frequently requested measures to receive support for capacity-building, by region**

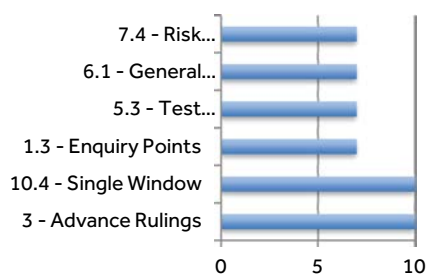
**Most frequently requested measures to receive support for capacity-building, Africa Region**



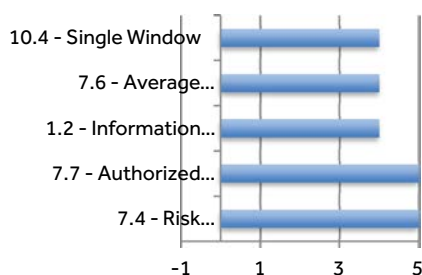
**Most frequently requested measures to receive support for capacity-building, Asia Region**



**Most frequently requested measures to receive support for capacity-building, Caribbean and Americas Region**



**Most frequently requested measures to receive capacity-building, Pacific Region**



and notification of needs for capacity-building, a crucial and necessary step for ensuring these countries can reap the full benefits of the TFA. There are also opportunities for developing countries to improve their alignment with donor requirements, co-ordinate technical assistance and adapt implementation approaches to regional circumstances. Ultimately, the technical assistance component of the TFA must be viewed as a key to unlock enhanced co-operation between Commonwealth member countries and institutions.

By supporting WTO-Commonwealth members to notify Category C commitments, the results discussed above can be supplemented to further identify and refine technical assistance needs across and within the regions of the Commonwealth. Commonwealth member countries should view TFA implementation as a 'stepping-stone' as opposed to a final destination. Countries have a chance to adopt a holistic and integrated trade facilitation reform agenda that accounts for new technological scope and requirements for co-operation.

### 5. Way forward

The identification and promotion of best practices in using digital technologies to overcome the bottlenecks to trade can help Commonwealth members in implementing systems. National representatives participate and engage in regional

stakeholder exchanges, often benefiting from enhanced institutional networks with the trade facilitation community, to jointly manage needs assessments, strategic 'road mapping' exercises, standardisation initiatives and the implementation of measures.

Through greater donor-beneficiary co-operation, Commonwealth member countries can centralise communications and establish technology project/programme focal points. To address difficulties in securing resources, efforts to improve alignment with donor requirements will help to broaden access to funding and technical assistance for TFA implementation.

For the Commonwealth small states, mainly in the Pacific and Caribbean regions, there is potential to scale the impact of assistance by formulating approaches that are adapted to the geographic context. Small island developing states with limited national markets, insularity and restricted access to established transport routes could improve their international logistics performance with concerted action to adopt digital solutions for trade facilitation. Co-operation on reforms related to specific provisions of the TFA or the development of TFA+ mechanisms (e.g. Electronic Certificate of Origin) can ease integration into global value chains and mitigate the shock associated with disruption.

Harmonised trade facilitation performance indicators provide Commonwealth member countries with shared metrics to evaluate the impact and performance of reforms. These include existing databases of trade facilitation measures and national/international supply chain performance indicators (e.g. the World Bank Logistics Performance Index, LPI). As indicators are different in nature and/or scope it is important to identify those most relevant to intra-Commonwealth trade.

All of these elements point to an enhanced role for regional co-operation in trade facilitation, where efforts towards implementing trade facilitation measures can be used as a platform to promote regional integration processes where (and to the extent that) regional solutions are warranted and result in economies of scale. Transport and logistics links for some Commonwealth members have a strong regional component, for instance, and strategies to enhance access to important transport corridors can connect geographically remote member states with trading 'hubs'. Thus, Commonwealth members should seek to explore the potential from learning best practices in implementing the TFA with a digital angle and co-operate further in exploiting the important leverage for development that trade facilitation offers. Trade facilitation and new technologies can also help countries respond to disruptions to their trading systems when, for instance, a natural disaster occurs. In the case of a global pandemic, as discussed in the introduction, new trade facilitation technology can reduce the need for human controls and checks, reducing interaction and enhancing the health and safety of operators. In its recent COVID-19 E-commerce and Trade report, the WTO identified key provisions of the TFA that can be useful in such circumstances. In particular, greater use of ICT would enable the prior electronic submission of supporting documents and so allow pre-arrival processing. In addition, the full implementation of single window systems would channel the submission of documents and payment of fees and duties in one single platform, with varying degrees of functionalities and features (for example, making it possible to obtain rules of origin and SPS certificates through the same platform).<sup>14</sup> Thus, as they develop, new trade facilitation technologies will not only make trade processes more time-efficient but could also contribute to

maintaining import and export flows even during severe staffing shortages, as we have seen with COVID-19. Cross-border trade must continue efficiently and safely to ensure the seamless flow of goods and avoid severe disruptions to supply chains, all the while ensuring compliance with customs and regulatory border procedures. In this context, digital trade facilitation for managing risks and shocks in the trading systems is yet another area where the scope for lessons learned and exchanging best practices in disaster responses can harness greater co-operation amongst Commonwealth members.

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# International Trade Policy Section at the Commonwealth Secretariat

This Trade Hot Topic is brought out by the International Trade Policy (ITP) Section of the Trade Division of the Commonwealth Secretariat, which is the main intergovernmental agency of the Commonwealth – an association of 54 independent countries, comprising large and small, developed and developing, landlocked and island economies – facilitating consultation and co-operation among member governments and countries in the common interest of their peoples and in the promotion of international consensus-building. ITP is entrusted with the responsibilities of undertaking policy-oriented research and advocacy on trade and development issues and providing informed inputs into the related discourses involving Commonwealth members. The ITP approach is to scan the trade and development landscape for areas where orthodox approaches are ineffective or where there are public policy failures or gaps, and to seek heterodox approaches to address those. Its work plan is flexible to enable quick response to emerging issues in the international trading environment that impact particularly on highly vulnerable Commonwealth constituencies – least developed countries (LDCs), small states and sub-Saharan Africa.

## Scope of ITP Work

ITP undertakes activities principally in three broad areas:

- It supports Commonwealth developing members in their negotiation of multilateral and regional trade agreements that promote development friendly outcomes, notably their economic growth through expanded trade.
- It conducts policy research, consultations and advocacy to increase understanding of the changing international trading environment and of policy options for successful adaptation.
- It contributes to the processes involving the multilateral and bilateral trade regimes that advance more beneficial participation of Commonwealth developing country members, particularly, small states and LDCs and sub-Saharan Africa.

## ITP Recent Activities

ITPs activities focus on assisting member countries in their negotiations in the World Trade Organization and various regional trading arrangements, undertaking analytical research on a range of trade policy, emerging trade-related development issues, and supporting workshops/ dialogues for facilitating exchange of ideas, disseminating informed inputs, and consensus-building on issues of interest to Commonwealth members.

## Recent Events

11 October 2019: Tapping the Tourism Potential of Small Economies: A Transformative and Inclusive Approach (WTO Public Forum) held in Geneva, Switzerland in collaboration with the WTO and the UNWTO.

10 October 2019: Commonwealth Trade Ministers Meeting held at Marlborough House, London, United Kingdom.

26–27 September 2019: 12th South Asia Economic Summit XII: Shaping South Asia's Future in the Fourth Industrial Revolution held in Colombo, Sri Lanka in collaboration with The Institute of Policy Studies of Sri Lanka.

26 June 2019: Launch of the Commonwealth Publication 'WTO Reform: Reshaping Global Trade Governance for 21st Century Challenges,' held in Geneva, Switzerland.

28–30 May 2019: Harnessing Trade Policy for Global Integration: Commonwealth Consultation for the Asia-Pacific Region held in Singapore in collaboration with the Institute of South Asian Studies, National University of Singapore.

4 April 2019: The Digital Economy: The Case of the Music Industry held in Geneva, Switzerland in collaboration with UNCTAD and the Government of Indonesia.

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