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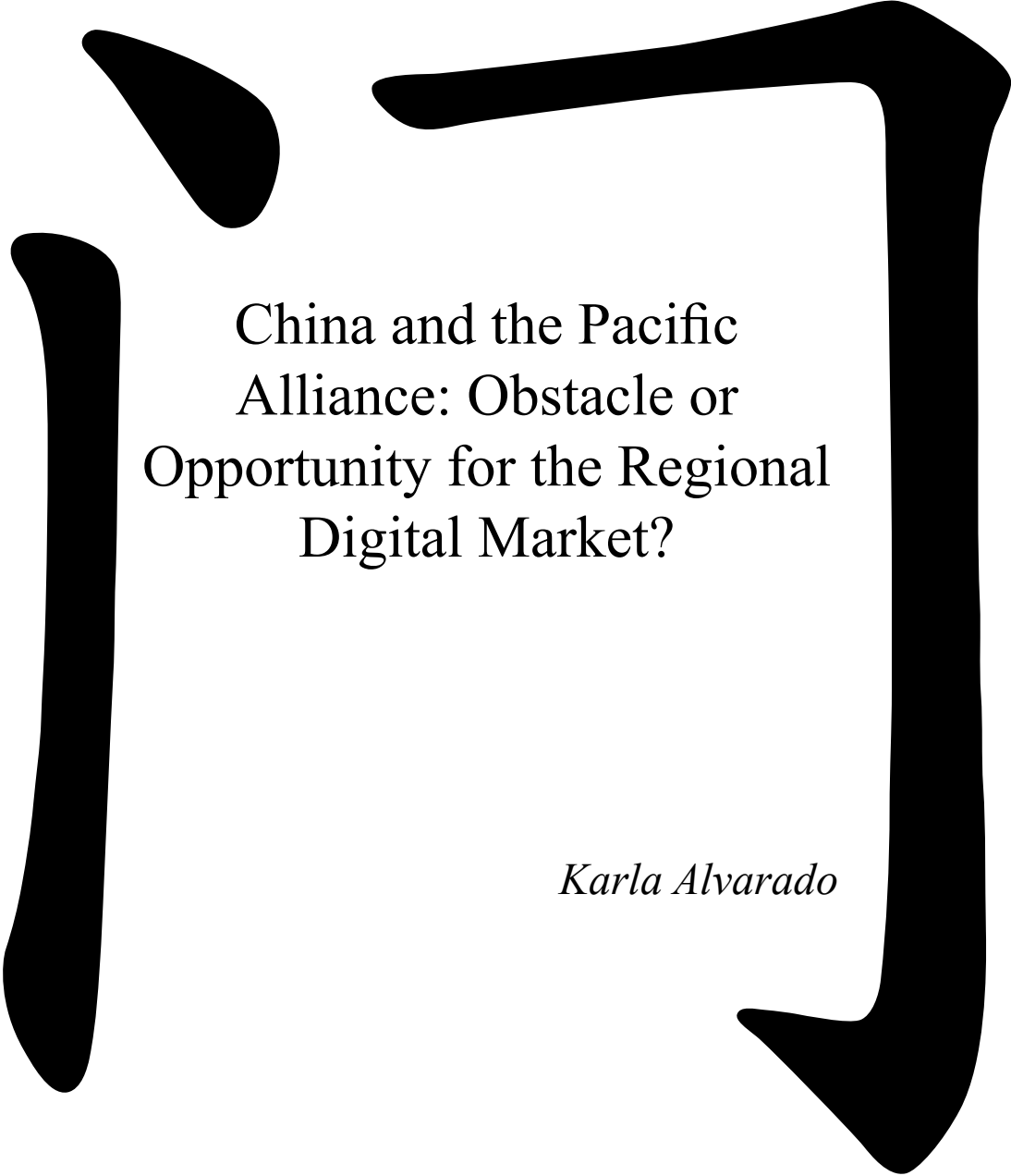


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China and the Pacific
Alliance: Obstacle or
Opportunity for the Regional
Digital Market?

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China and the Pacific Alliance: Obstacle or Opportunity for the Regional Digital Market?

Karla Alvarado¹

Resumen

China se ha convertido en el mercado digital más grande y de más rápido crecimiento del mundo. El incremento de bienes más sofisticados y el impulso del comercio electrónico lo han convertido en el principal exportador y proveedor de infraestructura física y digital de América Latina y el Caribe (ALC). Si bien esta región ha logrado avances significativos en las últimas décadas, todavía tiene una amplia brecha digital. Para hacer frente a este problema, se ha propuesto un proyecto de mercado digital regional latinoamericano. Para ello, la Alianza del Pacífico (México, Chile, Colombia y Perú) busca convertirse en líder, pero tiene una relación triangular con las superpotencias (Estados Unidos y China) que podría obstaculizar tal proyecto. En particular, la apuesta de Pekín por la Alianza en un amplio abanico de sectores digitales podría representar un obstáculo para el proyecto de mercado digital regional, ya que la Alianza del Pacífico ha incrementado su dependencia económica del gigante asiático, similar a la que ya tiene con EE.UU. El objetivo de este artículo es examinar si este argumento es acertado o si, por el contrario, la relación transpacífica entre China y la Alianza del Pacífico podría representar una oportunidad para tal proyecto.

Palabras clave: América Latina, Alianza del Pacífico, China, Comercio Digital, Mercado Digital Regional

摘要

中国已成为世界最大和发展最快的数字市场。愈发成熟的产品和电子商务的推行使其成为在拉美和加勒比地区领先的实体和数字化基础设施出口国和供应者。该地区虽在过去几年里有显著进步，但仍存在很大的数字鸿沟。为解决这一问题，一个拉美区域数字化市场的提案被提出。为此太平洋联盟国家（墨西哥、智利、哥伦比亚和秘鲁）寻求成为引领者，但它与世界超级大国（中国和美国）之间的三角型关系可能会阻碍此项目。尤其是北京在广泛的数字领域对该联盟的承诺可能会对区域数字市场项目构成障碍，因为太平洋联盟增加了对亚洲大国的经济依赖，类似于它对美国的依赖。本文的目的是检验这一论点是否准确，或者相反，中国与太平洋联盟之间的跨太平洋关系是否可以为此类项目提供机会。

关键词 拉丁美洲、太平洋联盟、中国、数字贸易、区域数字市场

Abstract

China has become the world's largest and fastest-growing digital market. The increase of more sophisticated goods and the promotion of e-commerce has made it the leading exporter and supplier of physical and digital infrastructure in Latin America and the Caribbean (LAC). Although this region has made significant progress in the last decades, it still has a wide digital divide. To cope with this problem, a Latin American regional digital market project has been proposed. For this, the Pacific Alliance (Mexico, Chile, Colombia, and Peru) seeks to become the leader, but it has a triangular relationship with the superpowers (the US and China) that could hamper such a project. In particular, Beijing's commitment to the Alliance in a wide range of digital sectors could represent an obstacle to the regional digital market project, since the Pacific Alliance has increased its economic dependence on the Asian giant, similar to the one it already has with the US. The objective of this paper is to examine whether this argument is accurate or if, on the contrary, the trans-Pacific relationship between China and the Pacific Alliance could represent an opportunity for such a project.

Key words: Latin America, Pacific Alliance, China, Digital Trade, Regional Digital Market

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Introduction

The People's Republic of China (PRC, hereinafter China) is the world's leader in digital trade. The Chinese e-commerce market has become the most prosperous in the past years, particularly because of its spatial distribution that varies greatly across provinces in the country. The availability of a user-friendly internet platform is also a major feature of the rapid development of China's e-commerce, as well as its fast logistics to minimize delivery time and costs. What is more, it collaborates with market players that have jointly contributed to accelerate its growth including e-platforms companies, e-payment operators, e-vendors, warehousing operators, and express shippers. The government, however, plays the main role.

Since 2006, the Chinese government formulates a plan every five years to promote the development of e-commerce. That year coincides with the second phase in the evolution of this kind of trade in China of the four that can be identified: germination stage (1997–1999), construction stage (2000–2007), evolution stage (2009–2015), and maturity stage (2016 up to the present). As Beijing's specialization in manufactured goods became more technologically sophisticated over time, in a period of only two decades (2000–2020) it moved from low-technology to medium-technology and high-technology manufacturing exports. And with this high-growth trend, e-commerce has become a new bright spot in the Chinese economy that is in line with its economic primacy in other sectors.

The dynamism the PRC exhibited for over four decades, the sheer size of its economy, its heightened competitiveness and its increased presence in global physical and digital markets is having a major impact on Latin America and the Caribbean (LAC). The increase of more sophisticated goods has allowed the Asian Giant to become the most important export market of the region and its second-largest trading partner after the United States of America (US). Latin America already experienced important advances in terms of digital transformation during the last decade, but they have been moderate compared to the advances made by China. While the digital transformation of the economy has been seen as an opportunity to recover from the COVID-19 pandemic, it has also increased the region's digital divide. Moreover, digitalization and the open commercial and technological global competition have enlarged LAC's economic asymmetric interdependence with both China and the US, with which it has a triangular relationship.

In this context, regional integration has been seen as an opportunity for facing the challenges brought by the sanitary crisis. Therefore, the Pacific Alliance (Mexico, Chile, Colombia, and Peru) seeks to turn into the roadmap for the Latin American regional digital market project. The latter aims to take advantage of the region's digital potential through the harmonization of strategies, the articulation of all levels of digital development and the participation of multiple actors that could play a major role in boosting productivity and regional value chains. Since the project is at an early stage, it can be expected that it might be favored or opposed by both internal and external factors. Regarding the latter, Beijing's growing presence in the region, particularly reflected in the increased penetration of Chinese goods in the Latin American market, the growth of bilateral Foreign Direct Investment (FDI), and its role as one of the principal providers of physical and digital infrastructure to the region, could be decisive. Moreover, Beijing's economic capacity and the scope of its e-commerce dynamics add to these conditions. And so, the question arises as to whether China would mean an obstacle or an opportunity for the Pacific Alliance's regional digital market project.

The hypothesis supported in this work is that China represents more of an obstacle than an opportunity for the regional digital market because it has the economic superiority to determine the dynamics of the global and regional digital markets in its favor. Since Latin America, and particularly the Pacific Alliance members, have a triangular trade relationship with China and the US, the possibility for finding a common ground to develop a regional digital market will depend on such a triangular relationship. In order to test this hypothesis, the objectives of this paper are: (1) Providing a conceptual framework of digital trade; (2) Studying the Pacific Alliance's regional digital market, identifying its origin, main characteristics and relevance for Latin America; and (3) Analyzing the Latin America-China trade relationship—with emphasis on the Pacific Alliance—to determine whether the Asian Giant represents a chance or rather an impediment for the regional digital market project.

The development of the research to accomplish these objectives is divided into four parts. The first part corresponds to the conceptual framework and definition of digital trade. The second one describes the Pacific Alliance's project for the Latin American regional digital market and its approach to the Asian-Pacific region in the digital era. The third part exposes the characteristics of Chinese e-commerce, the competition for global digital trade governance and the relevance of the Pacific Alliance for the Chinese digital market in the frame of the Latin America-China-US triangular relationship. Conclusions are presented in the last part of the paper.

Part 1. Unpacking Digital Trade: Conceptual Framework and Definitions

“Digitization”, as opposed to the broader process of “digitalization”, is commonly understood to reflect the encoding of information or procedures into binary bits that can be read and manipulated by computer. Digitization can take many forms such as the translation of analogue measurements, encoding business and industrial processes, voice over Internet protocol or social networks. Collectively, the changes produced by different forms of digitization, the resulting applications, systems, platforms, and the effects on economic and social activity constitute “digital transformation”—or digitalization (OECD, WTO and IMF 2019: 32). Therefore, the use of “digitization” as the basis for a definition of “digital trade” is restrictive. Although the concept of digital trade has gained prominence as a subset of the broader measurement of the digital economy, to date there is no single recognized and accepted definition of it.

The main point of discussions that have been negotiated over the years are the concept of e-commerce (more specifically, its definition) and the classification of “digital contents” (whether it is a good, a service, or a use of intellectual property) (Ministry of Economy, Trade and Industry of Japan 2017: 633). However, a consensus has not been reached yet. Nevertheless, there is a general agreement that multilateral rules are needed to develop a common, coherent approach that tackles global challenges effectively, fosters new opportunities, and encourages the expansion of digital trade (European Union n.d). Such rules should consider a differentiation of the concepts of “e-commerce” and “digital trade” that are used interchangeably, without making it clear whether they are the same or different. The following section seeks to provide clarity in this regard.

1.1 Are E-commerce and Digital Trade the Same?

“E-commerce” is the most common way to refer to how people trade in the digital world, and it is often thought simply as buying and selling on the Internet. But, according to Dave Chaffey (2015), it should be broadened to include all electronically mediated transactions between an organization and any third party it deals with. By this definition, non-financial transactions such as customer support and requests for further information would also be considered to be part of e-commerce (OECD 2011: 73). This is relevant because the type of e-commerce transaction for ordering is the key element of the definition. International trade facilitated by digitization has extended to non-monetary transactions, especially those involving data, and its measurement and valuation of this economic activity has been particularly challenging.

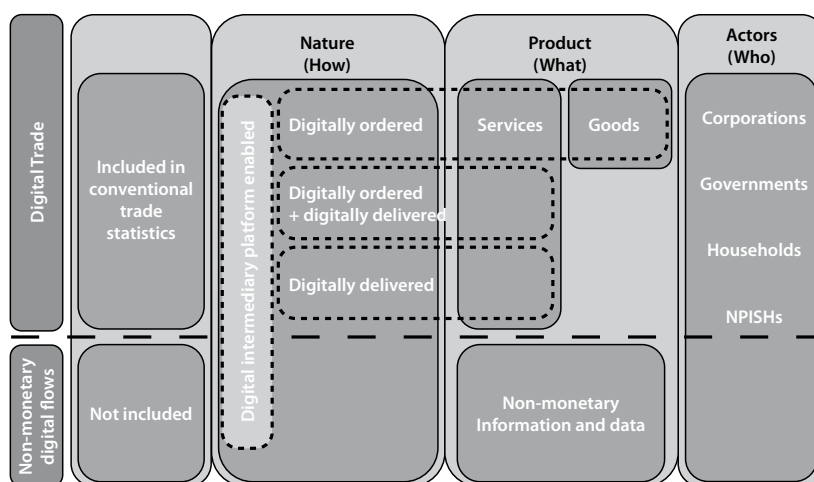
As a result, there is concern that current statistics underestimate the size of trade supported by non-monetary transactions and there is a growing policy demand for indicators of these activities (OECD, WTO and IMF 2019: 20). In order to cope with this problem, a comprehensive definition that goes beyond buying and selling online is required. The concept of “digital trade” appears as the most suitable for this purpose. For this one, the concept of e-commerce is complementary and not opposed to it. As happens with the latter, for digital trade the nature of the transaction—digitally ordered and/or digitally delivered—is its overarching characteristic, which makes it possible to distinguish digital trade flows from non-digital ones (OECD and IMF’s Statistics Department 2018: 23).

Under this definition, “digitally ordered trade” can be understood as “the international sale or purchase of a good or service, conducted over computer networks by methods specifically designed for the purpose of receiving or placing orders.” While “digitally delivered trade” can be explained as “the international transactions that are delivered remotely in an electronic format, using computer networks” (UNCTAD 2022: 1). Both conditions are complementary and crucial for determining whether or not the transactions in question can be considered digital trade.

1.2 Categorizing Digital Trade

Digital trade affects all sectors of the economy and refers to commerce enabled by electronic means—by telecommunications and/or ICT services—and covers trade in both goods and services (European Union n.d). More broadly, it can be understood as “trade that is digitally ordered and/or digitally delivered, and develops a conceptual framework around the *where* (in the accounts are transactions recorded), the *how* (are digital trade transactions defined), the *what* (types of products are included) and the *who* (are the buyers and sellers)” (OECD, WTO and IMF 2019: 30). This is relevant because one of the main concerns driving the need for better evidence on digital trade has been the perception that large parts of trade are not being recorded because of digitalization. Consequently, any conceptual framework needs to have a product dimension as well as information on the actors involved. In this vein, the OECD proposes a conceptual framework for digital trade that aims to include all the elements above mentioned (see Figure 1).

Figure 1. The conceptual framework for digital trade

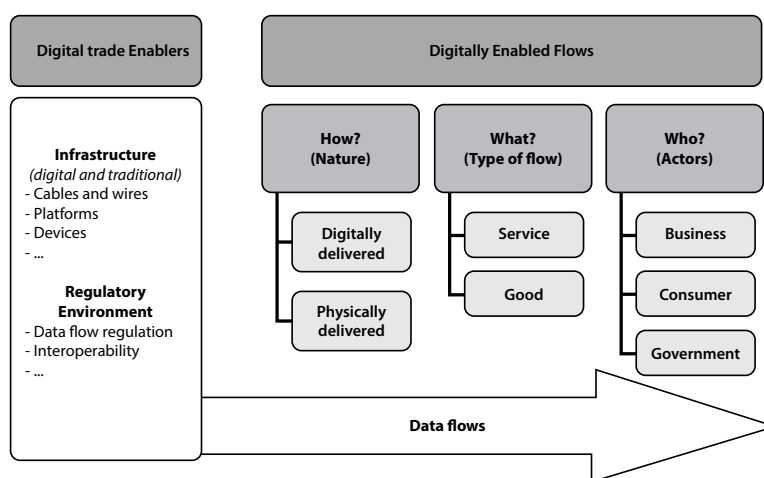


Source: OECD, WTO and IMF 2019

One important additional element to consider for the categorization of digital trade concerns the role of digital intermediary platforms (DIPs). DIPs are defined as “online interfaces that facilitate, for a fee, the direct interaction between multiple buyers and multiple sellers, without the platform taking economic ownership of the goods or providing the services that are being sold” (OECD and IMF’s Statistics Department 2018: 23). In this framework, DIPs are considered an important component of actors since what transcends through them—data or information—underpins the digital economy ecosystem.

Digital platforms are reshaping economies by enabling new international transactions and playing an increasing role in trade and the global value chains (GVCs). The movement of data is at the core of such transactions. They connect businesses, machines, and individuals to each other blurring the lines between the modes in which goods and services are delivered. These characteristics lead to the creation of a series of different categories that make it difficult to measure and analyze digital commerce homogeneously. Javier López-González and Marie-Agnès Jouanjean (2017) offer a tentative typology of digital trade that can be used to unpack transactions and analyze the issues regarding the definition, measurement, and policy implications of digital trade (see Figure 2).

Figure 2. A tentative typology for digital trade



Source: López González and Jouanjean 2017

For this typology, digital trade may involve physical goods as well as products and services that can be delivered digitally; that is, delivery as well as payment may be offline or online. Meanwhile, digital trade enablers provide the hard and soft infrastructure which support digital trade transactions. While, as referred before, data flows enable digital trade transactions and also support trade through enabling control and coordination along international production networks or facilitating the implementation of a range of trade facilitation measures. However, while all digital trade is enabled digitally, not all digital trade is delivered digitally (*Ibidem*: 12). Additionally, based on such tentative typology, said authors propose a classification of digital trade by three main digital retailers or marketplaces: trade in ride-sharing services, 3D printing and social networks (See Table 1).

Table 1. Using the indicative typology for thinking about digital trade

Example	How?	What?	Who?	Trade issue	Measurement	Horizontal issues
Digital retailer or marketplace (book purchase)	Physically delivered	Good	B2C (often SME) C2C	GATT, in relation to the item; GATS in relation to the intermediary Trade facilitation	Captured in trade statistics (depending on de minimis rule in place) but collaboration with business needed to determine how much of this trade is digitally enabled	Data transfers, infrastructure (access to and speed thereof), e-payment platforms, statistical classification of service, sector of sale or nature of actual activity? Interoperability, privacy regulation
Ride -sharing services	Digitally delivered or Physically delivered	Service	B2C	Domestic regulations / disruption, GATS commitments	Transport service in principle but ride-sharing company provides platform and insurance services. Mode of delivery unclear	
3D printing	Digitally delivered or Physically delivered	Service or good	B2C B2B	GATS or GATT commitments interoperability, IPR, competition policy	Hard to identify transaction. Classification issues if considered as services	
Social networking	Digitally delivered	Non-monetised service	B2C	Zero-cost to consumer, enables other (potential) cross border services	Value of service decoupled from way i	

Source: López González and Jouanjean 2017

In regard to trade in ride-sharing services, it involves the purchase of a transport service, but how the service is provided determines whether or not there is a trade transaction in the first place and, most importantly, how this transaction is to be measured. Likewise, 3D printing, or additive manufacturing—the process of superimposing layers of material to create structures from computer-aided design (CAD) files using a 3D printer—involves trade in low volume specialized products, but it has the potential to fundamentally alter the geographical location of international production. Finally, while the delivery of the social networking service is similar to a traditional digitally delivered service, the transaction between the producer of the service and the consumer, or user, is not directly monetized. Moreover, the delivery of the social networking service requires data to be transferred to and from the consumer (*Ibidem*: 15-18) bringing more complications on the social media and digital platforms that exist today.

1.3 The Digitalization of the Economy and Global Value Chains

Today, the concept of Global Value Chains (GVC) –which is closely linked to the process of globalization– has become a fundamental reference point for any socio-economic and international analysis (Dussel Peters 2018: 7). The organization of trade along GVCs has been in part spurred by the adoption of digital technologies. The latter have led to a decrease in coordination costs and increased international mobility of management and manufacturing expertise (López González and Jouanjean 2017: 8). Moreover, digital technologies have created a whole new governance structure for GVCs –Internet-driven GVCs– that incorporates digital platforms as intermediary actors alongside sellers or suppliers (supply side) and buyers or customers (demand side). Such “internet-driven GVCs” are diminishing the importance of physical stores and retailers. Internet-based virtual intermediaries are replacing physical ones, and have developed whole new value chains, such as the data-driven value chain for generating, processing, and selling data (Lundquist and Kang 2021: 193).

In this ecosystem, the space between final consumers and producers, and between producers and producers has shrunk, providing previously unimaginable access to new markets. Even though goods increasingly embody digital characteristics, most of these transactions involve non-digital goods or services (OECD, WTO and IMF 2019: 32). Therefore, if most transactions involve non-digital goods or services, and not all cross-border data flows represent commercial transactions, it is possible to glimpse the difficulty in identifying the nature and characteristics of such transactions. This has brought several challenges and policy implications in the field of digital trade.

1.4 International Digital Trade Regulations: WTO, RTAs and DEAs

Different digital trade transactions raise different issues related to trade policy and measurement. For instance, the transfer of data across borders has led to growing concerns about digital security, audit capacity and protection of individual privacy. In regards to measurement, one major challenge concerns data flows which do not result in a monetary transaction, but which may support one. In addition, a significant gray area remains on the operations of multinationals and their ability to either record services or primary income flows depending on how they deliver services. This affects the estimation of international trade and investment flows. Also, it has an impact on statistics for adequately meeting growing policy needs (*Ibidem*: 19).

The degree to which the multilateral system is able to deal with the changes brought by digital trade is doubtful. The efforts to regulate electronic commerce at the international level started more than two decades ago and there is still no consensus on their update. In particular, there is a lack of clearly defined global rules for digital trade, meaning that there is no coherent set of guidelines for countries to ensure its international free flow.

1.4.1 The World Trade Organization (WTO)

The World Trade Organization (WTO) has been seeking for more than two decades to regulate the effects of the Internet and the technological advances on trade. But direct restrictions on the matter have not yet progressed (López, Condon and Muñoz 2021: 216). To date, the most concrete result achieved in the WTO in the area of e-commerce has been the agreement of its members to impose a moratorium on the application of customs duties to electronic transmissions. Current WTO agreements fail to capture the specificities of the new disruptive business models that have emerged with large digital platforms and other innovations such as artificial intelligence, additive manufacturing and the Internet of Things (IoT) (*Ibidem*: 20-21).

Therefore, the main challenge facing the WTO today is to find the balance between the demands of all its members, while respecting the different approaches that countries have in addressing both digital trade –including cross-border e-commerce– and issues adjacent to it, such as cybersecurity and personal data privacy. With the multilateral regime impasse, regional and bilateral agreements have (re)emerged as faster solutions not only for regional economic integration processes, but also for the establishment of international standards and national policies on digital trade. Two kinds of agreements have gained special importance in the field: the regional trade agreements (RTAs) and, more recently, the digital economy agreements (DEAs).

1.4.2 Regional Trade Agreements (RTAs)

As a consequence of the lack of rules at the multilateral level, regional trade agreements (RTAs) containing specific provisions on e-commerce have proliferated. Herreros (2019) argues that these agreements have been used by major e-commerce players as “laboratories” to generate new rules on the subject. But because they are developed by different groups, there is much diversity in their breadth and depth, reflecting the different interests of the main players in the digital economy, not only on the most appropriate way to regulate e-commerce, but also on the international regulation of the Internet as a whole.

For economies to benefit from the changes brought about by the digital economy, it is necessary to establish transparent rules, freedom of innovation, a level playing field and interoperability between economies. Thus, when RTAs are combined with regional integration schemes, such as the Pacific Alliance (PA) and the APEC forum, they can facilitate intra-regional trade and support the creation of large integrated digital markets. Also, they can take advantage of the benefits of the digital transformation of the economy on the one hand, and respond to the particular needs of the region on the other, since it has become clear that standardization of regulations on a global scale is extremely difficult, if not impossible (López, Condon and Muñoz, 2021).

In this regard, the universe of potential barriers to e-commerce is very broad. Some types of barriers are the following: frictions in the enabling environment for e-commerce, technical restrictions, technology-related restrictions, data localization requirements, intellectual property rights, restrictions on establishment, tax restrictions, and state-owned companies and public procurement. Thus, a distinction can be made between two groups of transactions, those relating to barriers to physical trade in goods facilitated by digital means and those that hinder trade in digitally transmitted goods and services (Herreros, 2019, 15-18).

In addition to these barriers, there is the increasing protectionism that could lead to missed trade opportunities, especially for small and medium-sized enterprises (SMEs). Fragmented rules have also led to varying restrictions for personal data transfer and increased compliance costs (Ministry of Trade and Industry Singapore 2022). In order to face all these challenges, together with the fragmentation of digital trade regulation, new alternatives to RTAs have also been sought in the form of digital economy agreements (DEAs).

1.4.3 Digital Economy Agreements

The World Economic Forum (WEF 2022) defines the recently developed Digital Economy Agreements (DEAs) as “comprehensive ‘digital-only’ agreements that establish trade rules and facilitate interoperability between two or more digital economies.” The particular characteristic that sets these agreements apart from others is that, unlike traditional trade agreements which include chapters on e-commerce and typically focus more on market access, DEAs encourage domestic regulatory

reforms and “soft” cross-border collaboration on issues as wide-ranging as data innovation, digital identities, cybersecurity, consumer protection and digital inclusion. Therefore, they have already pushed the boundaries of traditional trade agreements, and more governments are eager to join this new frontier (World Economic Forum 2022).

DEAs aim to build on countries’ extensive network of free trade agreements and other digital cooperation initiatives. They are meant to advance global trade and inclusive economic growth in the digital age. This kind of agreement aims to develop international frameworks and rules for digital trade to foster interoperability of standards, to lower the cost of operations, increase business efficiency and create more seamless and easier access to overseas markets (Ministry of Trade and Industry Singapore 2022). As more cross-border trade is now digital in nature—a trend that is likely to continue in the future. (Bekkers, Koopman, Sabbadini and Teh 2021: 38)—, it is to be expected that DEAs become the future of free trade agreements and their number increases, as it is very limited so far.

As of 2022, there were only two agreements of this nature: the Digital Economy Partnership Agreement (DEPA) between Chile, New Zealand and Singapore—the first to be signed electronically in June 2020—, and the UK-Singapore Digital Economy Agreement, or UKSDEA in force as of June 2022. Both projects are looking for ways to fill the gap left by the multilateral trading system. While these new agreements promise to mark a before and after for digital commerce, the efforts of other existing blocks that are contributing to the same cause should not be minimized. The Pacific Alliance, for instance, has launched a roadmap to the Latin American regional digital market so as to fully embrace the new era of digitization in this region.

Part 2. The Pacific Alliance and the Latin American Regional Digital Market (RDM)

Regional integration with a notorious emphasis on trade and market has been present in Latin America for a long time. A clear example is the bloc of the Pacific Alliance (PA) —Chile, Colombia, Mexico and Peru— that was created to approach the Asia-Pacific region, the most promising of the 21st century. The Pacific Alliance was “officially established on April 28th, 2011 and its three main goals are: (1) Building an area of deep integration to progressively move towards the free circulation of goods, services, capital and people; (2) Promoting greater growth, development and competitiveness of the economies of the Parties; and (3) Becoming a platform for political articulation, economic and commercial integration, and projection to the world, with special emphasis on Asia Pacific (The Pacific Alliance n.d.).

To update and complement bilateral commitments, harmonized bilateral provisions, and establish common standards for the four countries, particularly in trade disciplines, the Additional Protocol to the Framework Agreement (PAAP) was signed on February 10th, 2014 and entered into force on May 1st, 2016 (Undersecretariat of International Economic Relations of Chile n.d.). The PAAP aims to insert the members into regional and global value chains through a free flow of inputs among the four countries (SICE 2022), and it is based on four pillars: (1) free movement of goods, (2) services, (3) capital and people and (4) a transversal axis of cooperation (Colombian Ministry of Foreign Affairs 2022). This agreement has 19 chapters including one on e-commerce (chapter 13) that represents an important step towards the regional integration efforts for boosting digital trade.

Chapter 13 on e-commerce is composed of 14 sections and it is applicable to measures affecting electronic transactions of goods and services, including digital products transmitted electronically. Its main objectives are: self-regulation, interoperability, innovation and competence, policies applicable to all users, micro and medium sized enterprises, data security, and barriers to e-commerce (Baker and McKenzie 2017: 46-45). The chapter has been amended twice (by the First and Second Amending Protocol to the Additional Protocol to the Pacific Alliance Framework Agreement, both in force from April 1, 2020 together with the Second Amending Protocol) and its main changes were in the following articles: (i) 13.1 (Definitions), (ii) 13.2 (Scope and Coverage), and (iii) 13.6 (Consumer Protection). Also, article 13.11 (Cross-Border Flow of Information) was replaced by article 13.11 (Cross-Border Transfer of Information by Electronic Means). Articles 13.4 *bis* (Non-Discrimination of Digital Products) and 13.11 *bis* (Use and Location of Computer Facilities) were added.

One of the main criticisms of this chapter, and the PAAP in general, is that it most matches the provisions found in the CPTPP when compared to other Latin America intraregional or extra-regional RTAs (López, Condon and Muñoz 2021: 220). This is due to the fact that three members of the Pacific Alliance (Chile, Mexico and Peru) are also signatories to the CPTPP, which was established under the US model that promotes private sector self-regulation through different instruments. Thus, provisions related to customs duties, consumer protection, personal data protection, paperless commerce, spam and cooperation with SMEs are consistent between the PAAP and the CPTPP (Observatorio Estratégico de la Alianza del Pacífico, 2017).

Although the Pacific Alliance has taken the CPTPP as a basis, its contribution to design a regional digital market strategy “to create the conditions for greater market scale, better coordination of resources and lower transaction costs in the region” (ECLAC 2021: 85-86) is outlined by the Economic Commission for Latin America and the Caribbean (ECLAC). The Digital

Agenda for Latin America and the Caribbean (eLAC) is the long-term action plan implemented by the ECLAC Technical Secretariat since 2005, with which member countries seek regional cooperation to continue advancing inclusion, the digitalization of production, the development of digital skills in the population, as well as to promote open government and the protection of personal data (Government of Mexico 2018).

The eLAC also aims to be a catalytic instrument for the coordination of regional cooperation efforts on digital issues and forge a regional vision of the role of digital technologies in development (ECLAC 2021a: 48). The first sign of an interest in developing a regional digital market was established on the eLAC2018. But only the eLAC 2022 developed in the context of the sanitary crisis specifies that such a strategy should be at the heart of a regional and sub-regional integration mechanism. In this regard, a regional digital market can be understood as...

...a harmonized economic space in which there are no internal barriers to the exchange of digital goods and services, or physical goods acquired electronically. Such a market should not only promote cross-border trade among its member countries, but also encourage investment and development in digital services, applications and innovations. It is not only a matter of removing internal barriers, but also of encouraging the use and exploitation of digital technologies, which requires entrepreneurs and users with a high level of digital skills and who have the necessary means and confidence to take advantage of them. For the Pacific Alliance a regional digital market is one that seeks to enable the free flow of digital products, goods and services traded over the Internet and capital linked to the digital market among the member countries (Calderón et al. 2021: 13-19).

To materialize this project, the bloc requested support from the ECLAC already in 2016 when the roadmap for the Pacific Alliance Regional Digital Market was adopted (ECLAC, CAF and GIZ 2018: 42). According to the diagnosis prepared by ECLAC in the document entitled “Hacia una estrategia de mercado digital regional en la Alianza del Pacífico” (*Towards a regional digital market strategy in the Pacific Alliance*), three pillars should be the priority: (1) improving Access to Connectivity; (2) creating an Enabling Environment for Promoting the Exchange of Digital Goods and Services; and (3) developing a Digital Economy that Promotes Growth, Productivity and Employment. It also defines a series of actions that, in accordance with the domestic regulatory framework of each country, will allow joint and collaborative progress in the development of the regional digital market (Pacific Alliance 2021 and Pacific Alliance Digital Economy Subcommittee 2021: 1).

The benefits that the regional digital market could bring for the region are diverse. It could advance development by helping countries enhance communication infrastructure and expand trade, which was severely affected by the sanitary crisis. It can also help to promote LAC’s voice on international platforms, allowing it to participate on an equal footing (OECD et al. 2020: 41) in the negotiations for new global rules in the field of digital trade that are currently on the table of different multilateral forums, particularly the WTO. Moreover, it could facilitate the coordination of resources and factors of production, through the aggregation of technological research and development and innovation resources to create a critical mass capable of competing internationally. What is more, it aims to insert the region, and particularly the Pacific Alliance members, into regional and global value chains through a free flow of inputs among the four countries, increase the quality of goods and services, and thus export more competitive products to international markets (SICE 2022), particularly the Asian market where the Alliance has a primary interest.

Part 3. Trading with China in the Digital Era

The Pacific Alliance was formed with the explicit purpose of establishing closer relations with the Asia-Pacific region. The goal is doing it not only individually but also as a bloc, since in the years prior to the establishment of the Alliance its four members had already begun to engage independently with their Asian peers. For instance, Chile and Peru signed agreements with China, Singapore, and the Republic of Korea; Chile and Mexico negotiated free trade agreements (FTAs) with Japan, and Colombia and Mexico signed one with the Republic of Korea. Also, Chile, Mexico, and Peru are members of the Asia-Pacific Economic Cooperation (APEC) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP formerly TPP). Colombia is not a member of APEC or the TPP, but has tried to become a member of APEC since 1995 and formally expressed interest in joining the TPP (and subsequently the CPTPP) (ECLAC, CAF and GIZ 2018: 42).

Although the Alliance has made significant progress to get closer to Asian countries, for instance launching the ASEAN-Pacific Alliance Framework for Cooperation, today there is no concrete and joint approach to strengthen their intra-regional economic relations. To face this lack of strategic clarity, the Pacific Alliance has proposed a regional digital market that will enhance its trade dynamics both among members and the bloc and Asian countries. However, with the Chinese predominance at the center of the Asian region, the alliance’s objectives to broaden the scope of its relations with the countries in that region could be undermined. Particularly in the field of digital trade.

China’s e-commerce market is the world’s largest and it continues to lead the global digital trade with over \$2 trillion sales in 2022 (GlobalData 2022). This tendency is an extension of the unprecedented rapid economic growth of the Asian giant in

the past decades. Its leadership has been accompanied by tensions with other actors, such as the United States, since “there is not a single socioeconomic issue on which China has not had a significant impact” (Gallagher and Dussel Peters 2013: 13). Beijing is taking advantage of its huge domestic market and is deploying an active industrial policy to promote its national companies as “digital champions” (Herrerros 2019: 24-38), which has a major impact on Latin America and the Caribbean.

In recent years, Beijing has accounted for a significant and increasing share of global demand for several of the main commodities exported from Latin America. But in LAC, where there have been no attempts to utilize industrial policies since the neo-liberal reforms of the 1980s and early 1990s (Jenkins 2009: 53-60), there is still a significant digital divide. The strategic opportunity for Beijing arising from its pursuit of digital sectors and technologies in Latin America (as elsewhere) is based on a reinforcing dynamic in which Chinese dominance in applied technologies (eg. solutions for companies such as Huawei in 5G) allows it to play a leading role in setting standards, this, in turn, helps China to lock in competitive advantages in associated sectors and shut out the competition (Ellis 2022). In this respect, the Chinese government plays a major role.

China has placed its relationship with Latin American countries under the aegis of “South-South” cooperation, implying an “egalitarian” relationship between “partners” as opposed to hierarchical relations with the countries of the “North” (Wintgens 2022: 5). As China is now the second largest trade partner of the Latin American region as well as the leader of the global digital market, concerns are emerging for other actors interested in the region. In this regard, the US is still LAC’s main economic and trade partner. Also, it is the key player in the China-US-LAC triangular relationship, which has been crucial for the digital transformation of the Latin American economy.

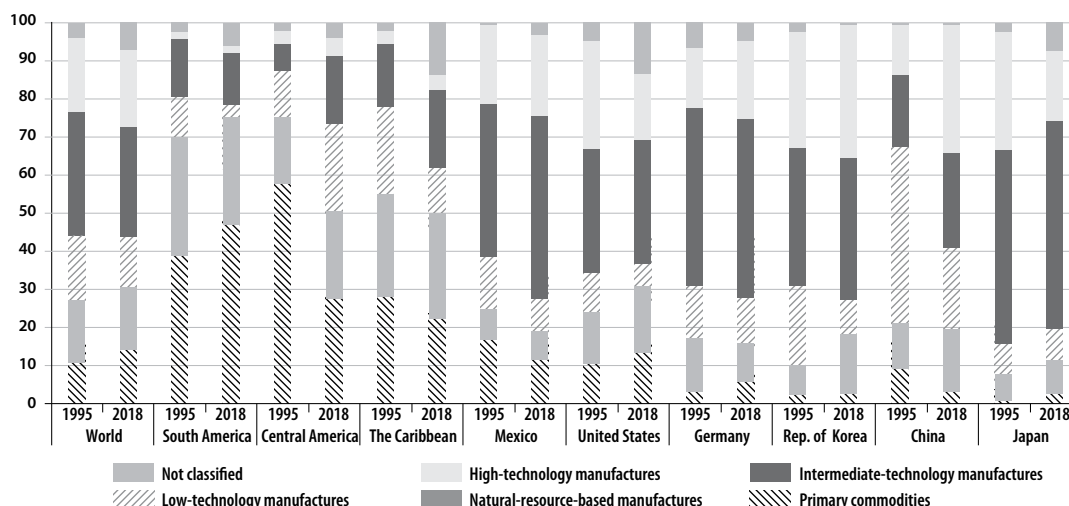
3.1 The Latin America-China-US Triangular Relationship

The term “triangle” is taken from the “strategic triangle” model of game theory. The preconditions for a triangular relationship are that each player recognize the strategic salience of the three principals, and the relationship between any two will be affected by each player’s relationship to the third (Dittmer: 1981). In this case it refers to the way that China-LAC interactions, China-US interactions, and US-China interactions are related and affect each other, in areas ranging from trade and investment to crime and security. Such interdependencies are complex and cross the boundary between economic and non-economic matters. Although many of the interdependencies between them revolve around the US market, there is also an important relationship between flows of export and remittance income from China (Ellis 2013: 85-87).

With the digital transformation, the structure or terms of the LAC-US-China triangular relationship may change, but the overall level of commercial interchange between the three actors is only likely to expand in a much more asymmetric way. The Asian giant is reinforcing its relationship with Latin America. Its increasing role in terms of GDP, trade, upgrading and long-term growth and development is significant for the region and for the world market in general (Dussel Peters 2009: 374). As a result, China’s rise in Latin America has sparked concerns in Washington. And so, the latter wants to regulate and constrain Beijing’s behavior according to its standards (Wu 2013: 70) as it has done for a long time with Latin America’s.

Latin America’s economic dynamics has historically been shaped mainly by the region’s relationship with the United States and Europe. In the last two decades, Asian countries, and first and foremost China, have begun to play a more important

Chart 1. Exports of goods, by selected regions and countries and type of product 1995–2018 (Percentages)

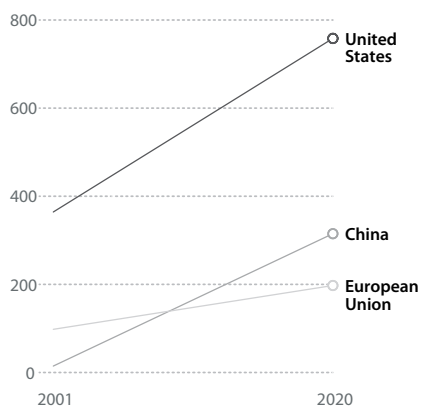


Source: ECLAC 2020: 91.

role in the region. Despite Beijing’s rhetoric about complementarity between trading partners, the structure of its trade with Latin America is characterized by asymmetries. China’s specialization in manufactured goods became more technologically sophisticated over time and in a period of only two decades it moved from low-technology to medium-technology and high-technology manufacturing exports (ECLAC 2020: 91) (See Chart 1).

This increase of more sophisticated goods has allowed Beijing to become the most important export market for Latin America and its second-largest trading partner (in goods), after the United States, far ahead of the European Union (EU) (See Chart 2). In 2020, in the midst of the sanitary crisis, LAC-China trade reached record levels as a percentage of regional GDP, with imports estimated at 3.8 % of GDP and exports at 3.2 % of GDP (3). And two years later, this growth looks likely to continue (Wintgens 2022: 2).

Chart 2. Latin America’s trade in goods (2001 vs 2020, \$ billion)



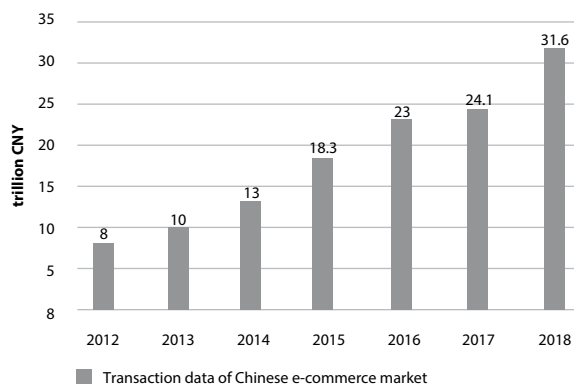
Source: Wintgens 2022.

As LAC is more specialized in primary products and resource-based manufactures, the growing presence of Chinese companies in the information and communications technology (ICT) sector in the region has increased its economic dependence. What is more, China’s e-commerce sector has demonstrated an explosive growth momentum and its cross-border e-commerce has become a new engine of its economic development (Hongfei 2017: 1). As a result, fundamental changes are being incorporated into the operations of traditional industry markets in LAC. For instance, the Chinese appetite for online shopping has opened a wide new market for Latin American agricultural products. Multiple virtual grocery shops are making it easier for LAC farmers not only to sell their produce, but to understand, in real time, their Chinese customers’ tastes and preferences. Countries in the region are also ramping up efforts to foster e-commerce with China, but the way in which this country has developed this type of trade is quite unique and difficult to replicate.

3.2 Chinese E-commerce: Characteristics and Evolution

E-commerce has become a new bright spot in China’s economy (Hongfei 2017: 6). Its transactions increased from only US\$ 1.16 trillion (CNY 8 trillion) in 2012 to US\$ 4.58 trillion (CNY 31.63 trillion) in 2018 (see Chart 3). The market players who had made possible the accelerated growth of Chinese e-commerce include e-platforms (e.g. Alibaba), e-payment operators, e-vendors, warehousing operators, and express shippers, which jointly operate massive online transactions and offline deliveries on a day-to-day basis (Yang 2022).

Chart 3. China’s e-commerce transactions have increased rapidly



Source: Jiang, Zhang, and Jin 2021.

Chinese e-commerce success has to do with the characteristics that set it apart. To start with, its industry and spatial distribution vary greatly across provinces in the country. The availability of a user-friendly internet platform is also a major feature of its rapid development. Consumers can easily search for various products and compare their function and price, and they can also pay through online commercial banks. In addition, fast logistics to minimize delivery time and costs is the foundation for such rapid development (AdChina.io 2020). What is more, in terms of its regulations, the government has played a key role in the process of creating an environment to thrive and of putting in place regulations and policies to support the sector.

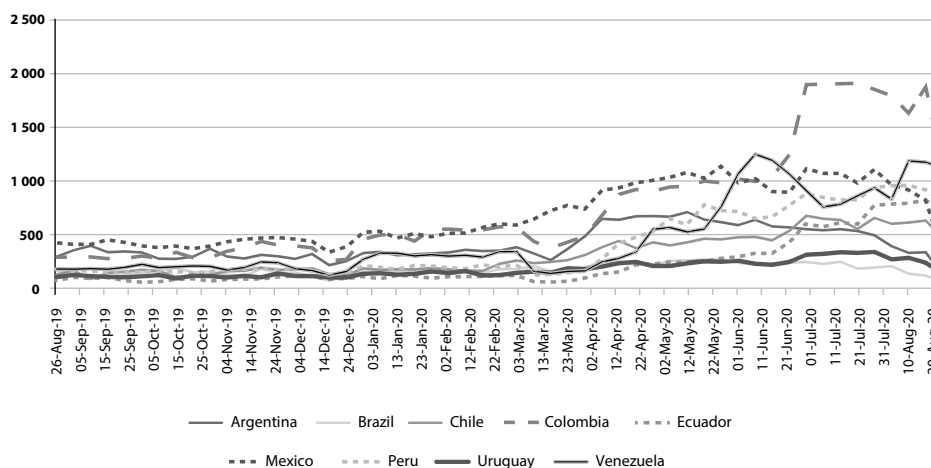
Aware of the benefits of e-commerce for the economy, the Chinese government formulates a plan every five years to promote the development of e-commerce. Since 2006, there have been three five-year plans addressing e-commerce development, each emphasizing different issues. In August 2013, the Chinese government issued a notice requiring relevant government agencies to put in place measures that support cross-border e-commerce, in response to the new trends in foreign trade and the emerging needs of traders and consumers. Later on, in June 2015, it published the “Guiding Opinions on Promoting the Healthy and Rapid Development of Cross-border E-commerce.” In this document, the Chinese government rolled out its strategy for fostering cross-border e-commerce (Ellis 2022). Eventually, on January 1st, 2019, the first comprehensive law in the field of e-commerce in the country entered into force: the “E-Commerce Law of the People’s Republic of China”.

Despite the great opportunities that this way of trading has brought for Beijing, it faces several challenges. In general, it suffers from slow customs clearance, a complex tax rebate scheme, high risk foreign exchange payments, expensive and inefficient international logistics, unclear government supervision, and poor after-sales service (Hongfei 2017: 21-23). But since in recent years e-commerce has become an indispensable part of its economy, China has been particularly interested in developing a holistic and long-term strategy to maintain its dominance in the global digital market. To this aim, it seeks to target trade partners that can favor its plans, such as Latin American countries.

3.3 The Pacific Alliance: A Blue Ocean Market for China

Latin America experienced important advances in terms of digital transformation already during the last decade, but they have been moderate compared to the advances made in other emerging economies, particularly China and in Southeast Asia. In LAC, on average digital adoption in business was 4.5% between 2014 and 2016, well below highly dynamic countries in Southeast Asia (13.1%) or China (16.4%) (OECD et al. 2021: 124). These trends cause concern for LAC given its export specialization in raw materials and low-skill labor-intensive manufactures, as well as its well-known institutional and technological shortcomings (Herreros 2019: 38). According to the OECD (2021), in Latin American countries with the most developed marketplaces, new sellers multiplied by 4, while in countries with less platform development, growth was 6 times higher in the period 2019-2020 (see Chart 4).

Chart 4. Number of sellers in e-commerce in LAC 2019-20, selected countries
Panel A. Countries with greater marketplace development



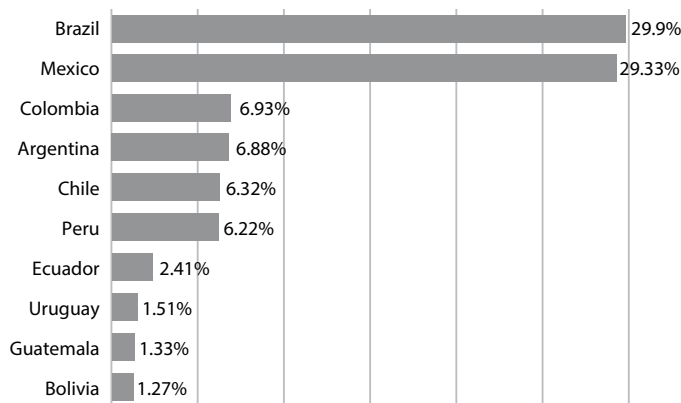
Source: ECLAC 2021.

Since the number of people buying online skyrocketed, digital trade transactions, the socioeconomic profile of online consumers and the consumption patterns of digitally traded services changed drastically. Online purchases have become a new market norm, thus approximately 73% of Latin American consumers downloaded mobile phone shopping apps during the pandemic. The online purchase ratio in Peru and Colombia is close to 70%, whereas the share of online bank accounts in Chile is over 70%, a country with the highest per capita income among the top 10 Latin American economies (Chan and

Fu 2022). Particularly in the context of the sanitary crisis, e-commerce in LAC reached \$200 billion and became the second fastest-growing market in 2020 (Chevalier 2022).

In 2020, online sales in the region surged by 36% year-on-year, making it one of the fastest-growing e-commerce markets worldwide. As part of this dynamic, “Mercado Libre”—one of the most popular Latin American platforms—is the world’s seventh largest and provides wide-ranging support to sellers joining it (Chan and Fu 2022). Regarding Pacific Alliance members, Mexico and Colombia concentrated nearly 29.3% and 6.9% of the e-commerce market in 2021 respectively (see Chart 5) (Chevalier 2022), just behind Brazil that accounted for 29.9%, leading the region. Brazil and Mexico, in fact, are the biggest markets in Latin America. Chile and Peru, by their side, concentrated nearly 6.32% and 6.22% respectively.

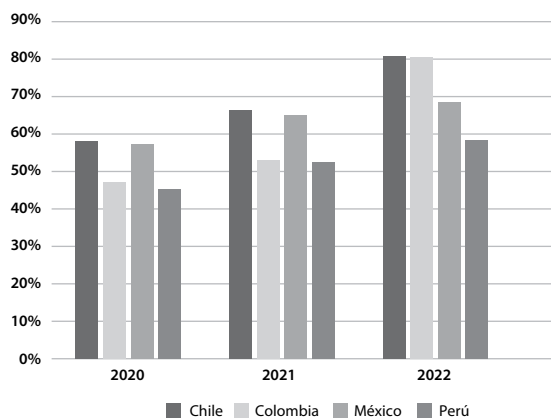
Chart 5. Distribution of the e-commerce market in LAC in 2021, by country



Source: Chevalier 2022.

Even though Colombia, Chile and Peru are part of the top six countries on the list, the scope of their e-commerce market is significantly small in comparison to Mexico’s. In general, for the Pacific Alliance members, the period 2020-2022 represented an increase in the penetration of e-commerce within the commercial dynamics of their markets. Chile and Colombia had an exponential presence which went from 58% and 47% in 2020, respectively, to 80% in 2022. While in Mexico and Peru e-commerce presence grew in a most moderate way going from 57% and 45% to 68% and 48% respectively (see Chart 10).

Chart 6. E-commerce Penetration in the Pacific Alliance Member Countries 2020-2022



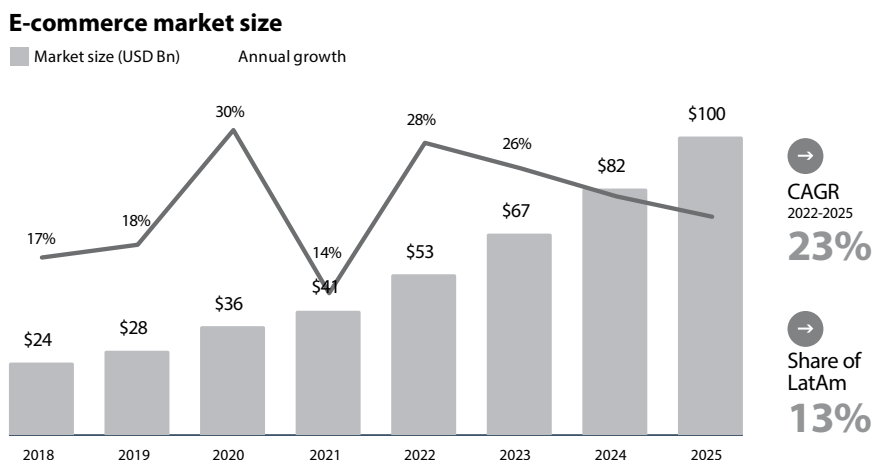
Source: EBANX 2022.

While e-commerce has penetrated the Alliance’s markets, estimates show a slowdown in its growth across the members in 2021 and 2022, with the exception of Mexico. As in most parts of the world, the coronavirus pandemic changed Mexicans’ consumption habits almost overnight, propelling the use of digital channels. In terms of the e-commerce market size, Mexico is LAC’s second largest and it still has a lot of room to grow (EBANX 2022). Chart 11 shows that the Mexican e-commerce market size is expected to continue growing up to 2025. For this country, the year 2020 had the highest annual growth rate. But its annual growth rate will decrease in a moderate way in comparison to the drop from 30% to 14% between 2020-2021. Nonetheless, it recovered already in 2022 reaching 28%.

By the end of 2022, the Mexican market comprised 64 million e-commerce users. Even after most COVID-19-related restrictions had been lifted, consumers still primarily focused their online shopping on personal and household goods. In this

country, the uptake of e-commerce is largely due to a strong consumption by younger generations. Another characteristic of the Mexican market is that it is dominated by players of foreign origin such as Amazon, Mercado Libre, and Walmart. In 2022, Mercado Libre was the most popular e-retailer among Mexicans, responsible for the highest monthly traffic to e-commerce sites in the country (Chevalier 2022b).

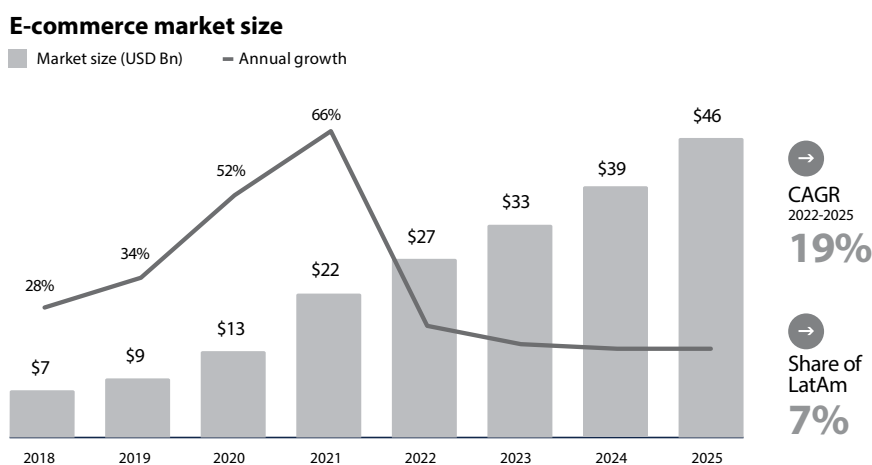
Chart 7. E-commerce market size in Mexico 2018-2025



Source: EBANX 2022.

For Chile, travel and digital goods are pushing the growth of e-commerce (EBANX 2022). Within Latin America, Santiago had the most consumers, showing the side effect of the outbreak of COVID-19 that led to a boom in e-commerce at the beginning of 2020. Around two out of three Chilean e-shoppers who participated in a survey said they increased online purchasing during the pandemic, the highest share in the region. The spike is also evident in online sales performance. In 2021, business-to-consumer (B2C) e-commerce sales in Chile were estimated at close to 12 billion US dollars, nearly double that of 2019 (Pasquali 2022). In terms of its size, the Chilean e-commerce market is also expected to increase by 2025 but its annual growth rate will not have the same exponential increment. For this country, the year 2021 had the highest annual growth rate. It went from 28% in 2018 to 66% in 2021 but it could not keep pace and fell to 24% already in 2022. The latter is not expected to recover in the near future, on the contrary, it is projected to decrease to 19% in 2025 (see Chart 8).

Chart 8. E-commerce market size in Chile 2018-2025

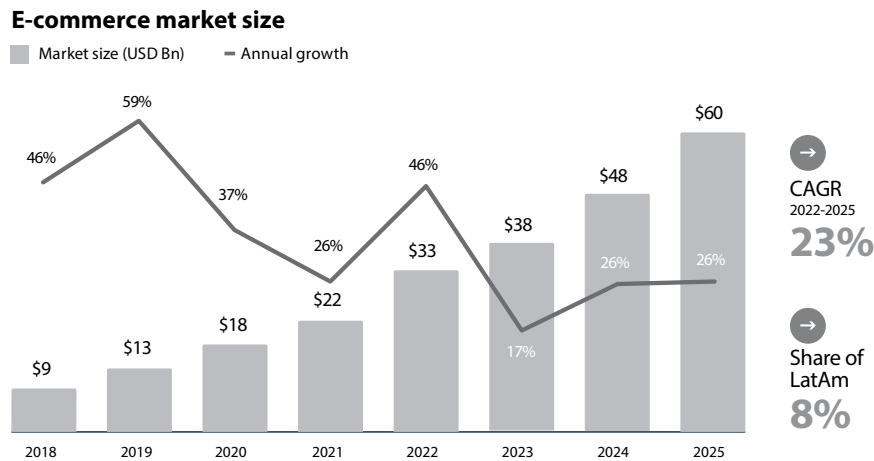


Source: EBANX 2022.

In the case of Colombia, account-based transfers represent almost a third of its e-commerce market (EBANX 2022). While for other countries the increase in e-commerce was boosted by the pandemic, for this country the year that saw the greatest annual growth in e-commerce was 2019. But the 49% that it reached that year fell to 21% in 2021. Nonetheless, it recovered in just one year, reaching 46% in 2022 (see Chart 13). In this country, millions of individuals who once shopped for groceries and other household supplies in person suddenly found themselves completing these tasks online. As a result, the country finished 2021 with an estimated 25 million online buyers, more than 70% of its internet-using population. That year, Colombia ranked as the third largest e-commerce market in Latin America (Chevalier 2022a) (see Chart 9).

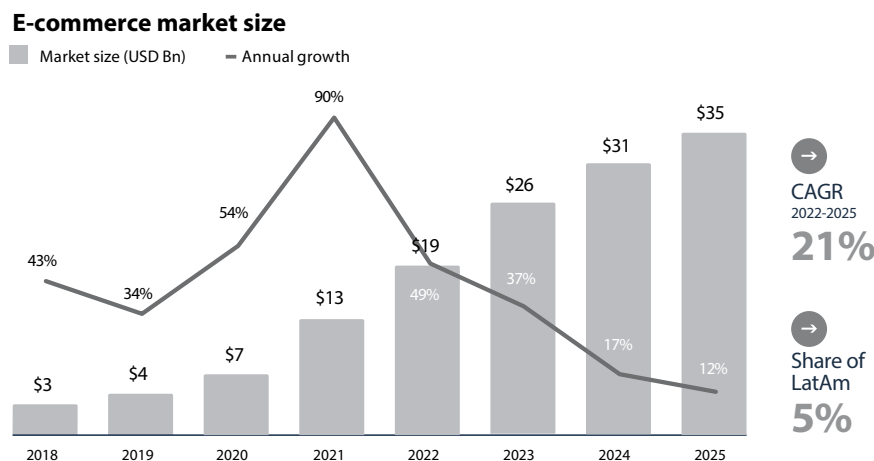
According to a survey, nearly 50% of internet users in Colombia purchased a product or service online weekly in 2021. Free delivery and a simple online checkout were the main factors driving these internet purchases, but certain aspects of the in-store experience proved difficult to replace. The ability to try on a product before buying it, for instance, was one of the leading reasons discouraging Colombians from buying products online, especially when doing so for the first time (Chevalier 2022a). As promising as these conditions appear to be for e-commerce, it is expected that its annual growth will drop to 17% in 2023. And its possible recovery to 25% in 2025 will be insufficient to match the 2018-2019 growth level.

Chart 9. E-commerce market size in Colombia 2018-2025



Peru has the highest share of cash in Latin American e-commerce (EBANX 2022). Similar to Mexico, Chile and Colombia, the Peruvian e-commerce market size is expected to continue growing by 2025. In terms of its annual growth, it increased from 43% in 2018 to 54% in 2020 and had its highest growth in 2021 with a 90% increase (see Chart 14). In the context of the pandemic, millions of consumers in this country resorted to online alternatives to complete their purchases. As a result, retail e-commerce revenues grew by 50% in 2020 and it held one of the highest e-commerce market shares in the region, totaling more than nine billion US dollars in business-to-consumer (B2C) sales. In 2021, almost 14 million Peruvians shopped online, more than double before the pandemic. Far from being a habit exclusive to the sanitary crisis, internet purchases seem to have made their way into the routines of many in Peru, with almost three-quarters of digital buyers engaging in this activity at least once per month. According to a survey, e-commerce has made it easier for consumers to gather information before making a purchase, whether it's researching the product beforehand or checking reviews to gain insight into the experiences of others (Chevalier 2022c)

Chart 10. E-commerce market size in Peru 2018-2025



With new digital consumers gaining access to e-commerce, the Latin American region, and particularly the Pacific Alliance, is a blue ocean market for China. Focused on the big young population of the region, industries such as gaming, online retail, SaaS, and streaming services are recording double-digit growth, representing a huge opportunity for companies based in more mature markets that aim to expand to faster-growing countries (EBANX 2022: 35). Specifically, Chinese cross-border

e-commerce companies are increasing their presence in LAC and are better understanding consumers' demand with the aid of new technology and algorithms (Yang 2022).

This has created opportunities for such companies to leverage their positions to advance in other areas, while also giving them significant opportunities to collect intelligence on both government and commercial targets, putting at risk the ability of Latin American national and local governments to make sovereign decisions for establishing digital trade regulations. In this regard, it is not clear if they are able to evaluate the risks of the compromise of their data or information that can be gained through access to that data. Nor is it clear if they have the technical knowledge or tools for evaluating the hazards and working toward rational public policy positions to control such companies while securing the benefits of Chinese or other digital technologies (Ellis 2022). A reason for this is the increasing economic dependence on Beijing that has minimized the countries' capabilities to establish boundaries. The Pacific Alliance countries have been working together under the umbrella of this trade bloc to have a more organized position in regards to China (Held 2022). It is expected that the Alliance plays a key role in promoting sectors such as e-commerce, for which the project of the regional digital market will be crucial.

Part 4. Conclusions: Closest to China, Further Away from the Regional Digital Market?

The design and institutional framework of digital agendas in Latin America has advanced in recent years. The region as a whole has made little progress in the regulatory and legal environment to enable digital trade. Particularly, there are still some characteristics that could be strengthened in areas like personal data protection, digital identity, digital payments, digital values, transport and logistics standards, and tax regimes. Although Latin American countries are seeking to address this problem by establishing a regional digital market to homologate individual regulations, its freedom to do so has been conditioned by the triangular relationship with the US and China. Digitalization is changing the China-US-LAC triangular relationship. The overall level of commercial interchange between the three actors is expanding in a much more asymmetric way.

Even though the Pacific Alliance's regional digital market has been introduced as an opportunity to boost the digital transformation of the region, the accelerated digitalization of the economy represents a phenomenon that governments are not ready to confront. As a result, the bloc has imported regulations from the US. And so, its set of e-commerce norms are based on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the United States-Mexico-Canada Free Trade Agreement (USMCA), both promoted by Washington. Since the Pacific Alliance is proximate both to Washington's and Beijing's zone of influence, and its member countries are economically dependent on the superpowers, the development of the regional digital market project could be hampered

In a context of an open commercial and technological competition between the superpowers, Beijing is taking advantage of its economic superiority to leave its foodmark on Latin America. Beijing's intervention has so far been much more discreet than Washington's. China has approached LAC using the rhetoric of "South-South" cooperation, while the US has historically placed itself as the superior promoter of democracy. Although the US is still LAC's main trade partner, it has placed its interest in the region in a secondary level. And so, the Asian giant has reinforced its relationship with the countries of the region, especially with the Pacific Alliance members. In the past decades China has worked to re-orient its digital economy advantage and LAC has emerged as a key partner. The dominance in applied technologies is allowing China to play a leading role in the commercial dynamics of the region, shutting out the race with the US.

In particular, China's digital market has demonstrated an explosive growth momentum and its cross-border e-commerce has become a new engine of its economic development. With new digital consumers gaining access to e-commerce, the Latin American region, and specifically the Pacific Alliance, is a blue ocean market for China. Beijing's presence on the Pacific Alliance countries is altering the interregional trade dynamics, of which it has accentuated the declination in a wide range of industrial sectors, and the asymmetries between Beijing and Mexico, Chile, Colombia and Peru have turned into a growing deficit in their bilateral exchange. In this regard, despite China's rhetoric about complementarity between trading partners, the structure of its trade with the Alliance's members is characterized by asymmetries.

But beyond the mere presence of China as a factor that could block such an initiative for a regional digital market there are lingering conditions, such as the role of the United States in the region, that cannot be left out of the equation. China is, in fact, one external actor to consider in the possible failure of the Alliance project but not the only one. Also, it cannot be ignored that this country could offer an opportunity for the members of the Pacific Alliance to expand the scope of their digital trade if they take advantage of the trans-Pacific relationship with the Asian giant. For the latter, the internal homologation of national regulations would be required. And so, the success or failure of the regional digital market does not depend entirely on the growing proximity to Beijing, but it certainly plays a determining role.

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