

# WORLD TRADE ORGANIZATION

RESTRICTED

**S/NGBT/10**

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## **Negotiating Group on Basic Telecommunications**

### REPORT OF THE MEETING OF 17 NOVEMBER 1995

1. The Negotiating Group on Basic Telecommunications held its tenth meeting on 17 November 1995. The agenda for the meeting was contained in airgram WTO/AIR/200 of 31 October 1995.
2. Recalling the tragic death earlier this week of Mr. A. Alaa El Din Nazmi, Counsellor for Commercial Affairs of the Permanent Mission of Egypt, the Chairman observed a moment of silence in his honour.
3. Regarding requests for participation and observer status, the Chairman announced that Israel and Poland had taken decisions to join negotiations as full participants. Approval was requested and obtained for observer status of the United Arab Emirates and one regional organization, the Caribbean Telecommunications Union. As a result, the number of full participants in the negotiations now stood at 31<sup>1</sup> and the number of participants with observer status was now 28<sup>2</sup>. The Chairman thanked the delegations for their decisions and encouraged other governments participating as observers also to consider joining in the negotiations as full participants.
4. Under the agenda item on introduction of draft offers, the Chairman announced that draft offers had been received from 14 participants.<sup>3</sup> Six of these participants (Czech Republic, the European Communities and its Member States, Norway, Singapore, Switzerland, and Venezuela) had submitted offers since the September meeting. They were afforded the opportunity to briefly explain their offers to the Group.
5. The Chairman invited delegations to comment on the progress of bilateral discussions held during the week. A number of participants reported that they had undertaken heavy schedules consisting of numerous bilateral sessions. One participant said that the main focus of its bilaterals had been on market access and national treatment commitments. Some participants noted that although there were positive signs of movement in the negotiations, they were concerned that more participants should submit their initial offers as soon as possible. They observed that there was much work yet to be done and that time for the negotiations was running short. One participant indicated that, based on its discussions with others, it should be possible for the Group to develop a reference paper aimed at commitments

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<sup>1</sup>Argentina, Australia, Brazil, Canada, Chile, Cuba, Cyprus, the Czech Republic, Dominican Republic, Egypt, the European Communities and their Member States (Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom), Hong Kong, Hungary, India, Israel, Japan, Korea, Mauritius, Mexico, Morocco, New Zealand, Norway, Poland, Singapore, Slovak Republic, Switzerland, Tunisia, Turkey, the United States and Venezuela.

<sup>2</sup>Bulgaria, Brunei Darussalam, the Republic of China, Chinese Taipei, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Iceland, Indonesia, Jamaica, Latvia, Madagascar, Malaysia, Nicaragua, Pakistan, Panama, Peru, Philippines, Romania, Russian Federation, Slovenia, South Africa, Thailand, Trinidad & Tobago, and United Arab Emirates, Uruguay.

<sup>3</sup>Australia, Canada, Czech Republic, the European Communities and its Member States, Hong Kong, Japan, Mexico, New Zealand, Norway, Singapore, Slovak Republic, Switzerland, the United States and Venezuela.

in such areas as interconnection and competition safeguards. Some other participants said that if such a paper might be developed, they would hope that any related proposals or ideas might be shared at the December meeting of the Group.

6. Under the agenda item on outstanding technical and conceptual issues, three new papers were available: one from Australia on Scheduling of Termination Services (S/NGBT/W/16), an informal paper from Canada on Regulatory Principles, and an informal paper from Korea on the Coverage of the term "Other" Services in schedules. A paper on possible elements for a global regulatory framework from Venezuela (S/NGBT/W/17) was not yet available in translation so the Chairman indicated that it would be discussed at the next meeting. The participants concerned presented explanations of their papers. This was followed by general discussion of the issues. One participant suggested that any regulatory principles developed should be general rather than detailed, flexible enough to gain acceptability among all participants, and focus on outcomes rather than means. For example, regarding interconnection it was important that there be some way of resolving disputes such as an independent regulator, a judicial process or arbitration, rather than one prescribed way to resolve them. In his own regime, he said the court process was the way such disputes were resolved. He said that a relevant criterion for regulatory principles in this area could be to require the existence of an effective legal process to deal with disputes.

7. Under the agenda item on the review of participants' responses to the questionnaire on basic telecommunications, the Chairman invited any outstanding questions on the responses of Venezuela, Brazil, the Dominican Republic, which were first presented at the previous meeting, and questions on the new responses available from the Czech Republic, India and Israel. The latter delegations briefly introduced their responses. Also, Uruguay presented follow-up responses to questions posed at previous meetings. The Chairman thanked the delegations for their submissions and encouraged all participants and observers to continue to keep the Group informed of new developments and to submit responses to the questionnaires.

8. In discussion on future work, the Group agreed on a revised timetable for meetings to be held up until the April 1996 deadline. The agreed revision assigned specific dates for future meetings. It was also agreed that the next meeting of the Group would be on 15 December and that bilateral negotiations would be conducted during that week. The Chairman urged participants that had not yet submitted draft offers to try to do so in time for the December meeting.