

WORLD TRADE ORGANIZATION

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Negotiating Group on Basic Telecommunications

REPORT ON THE MEETING OF 30 APRIL 1996

1. The Negotiating Group on Basic Telecommunications held its seventeenth and final meeting on 30 April 1996. The agenda for the meeting was contained in airgram WTO/AIR/320 of 24 April 1996.
2. The Chairman invited the Director General to introduce the proposal he had made at a previous informal meeting concerning the draft Fourth Protocol to the General Agreement on Trade in Services and the draft Decision on Commitments in Basic Telecommunications. The Director-General stated that he had three objectives in mind in making his proposal: first, to preserve, as far as possible, the results achieved so far, even if these could not be finalized at this time; second, to preserve the economic value of the negotiation by maintaining the implementation date of 1 January 1998; and third, to provide flexibility within that time-frame by allowing a period of one month during which it would be possible to re-examine the position and to supplement or modify the draft schedules as they now stood. In so doing, he expressed his hope and expectation that this would permit improvements in the existing offers. Furthermore, he suggested that it should be a shared objective of Members of the Group to preserve and wherever possible to improve upon what had been achieved already. The basis on which he put forward this proposal was that the best offers now on the table would be maintained and, as it were, frozen until the period of reconsideration in the Spring of next year. However, he recognized that he could not dictate the content of any country's offer, or prevent any participant from removing an offer altogether.
3. The Director-General said he understood that the countries which had been contemplating the addition of language relating to competitive conditions, which had been very controversial in the past few days, had decided not to insert such language. Consultations on this matter would no doubt have to go on, but a longer time frame to reach a common understanding was now available. Finally, the Director-General proposed that paragraph 2 of the draft Protocol, which provided for the period for reconsideration, should be placed in the Decision rather than the Protocol. In doing so, he emphasized that it was the considered view of the Secretariat that to place this provision in the Decision rather than the Protocol made no legal difference; the right to supplement or modify schedules during the reconsideration period would in either case be guaranteed.
4. In discussion of the revised draft Protocol and the draft Decision of the Council, the Group agreed upon the transfer of this paragraph from the Protocol to the Decision and upon certain other modifications to the texts, notably on the dates of 15 January to 15 February for the reconsideration period.

5. With regard to the presentation of draft final schedules and of new or revised offers, the Chairman announced that Colombia had submitted a new offer, bringing the total number of draft offers to thirty-four.¹ In addition, Côte d'Ivoire, Pakistan, the Dominican Republic, Poland, Hong Kong, Switzerland, and India had submitted revisions to their draft offers. The number of revised offers was now twenty-one. Finally, Brazil, Côte d'Ivoire, Switzerland and Venezuela had indicated that their offers were to be considered as final schedules. The following delegations announced their intention to submit further revisions: Australia, Canada, Hong Kong, Morocco, Mexico, the European Union and its Member States, Singapore, New Zealand, the United States, Norway, Iceland, Japan, Argentina, Peru and Hungary. Regarding participation and observership in the Negotiating Group at its last meeting, the number of full participants reached thirty-nine², while the number of participants with observer status stood at twenty-four³.

6. In concluding its final meeting, the Negotiating Group agreed to forward to the Council for Trade in Services the Report of the Negotiating Group on Basic Telecommunications (S/NGBT/18) and the attached list of the Schedules of Commitments and Lists of Article II Exemptions, together with the text of the Fourth Protocol to the General Agreement on Trade in Services and a draft Decision on Commitments in Basic Telecommunications. Finally, the Group expressed its warm appreciation of the leadership of its Chairman, Mr. Neil McMillan, and of his personal contribution to its work.

¹ Argentina, Australia, Brazil, Canada, Chile, Colombia, Côte d'Ivoire, Czech Republic, Dominican Republic, Ecuador, the European Communities and its Member States, Hong Kong, Hungary, Iceland, India, Israel, Japan, Korea, Mauritius, Mexico, Morocco, New Zealand, Norway, Pakistan, Peru, the Philippines, Poland, Singapore, Slovak Republic, Switzerland, Thailand, Turkey, the United States and Venezuela.

² Argentina, Australia, Barbados, Brazil, Canada, Chile, Colombia, Côte d'Ivoire, Cuba, Cyprus, the Czech Republic, Dominican Republic, Ecuador, 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, Iceland, India, Israel, Japan, Korea, Mauritius, Mexico, Morocco, New Zealand, Norway, Pakistan, Peru, the Philippines, Poland, Singapore, Slovak Republic, Switzerland, Thailand, Tunisia, Turkey, the United States and Venezuela.

³ Bolivia, Bulgaria, Brunei Darussalam, the Republic of China, Chinese Taipei, Costa Rica, El Salvador, Guatemala, Honduras, Indonesia, Jamaica, Latvia, Madagascar, Malaysia, Myanmar, Nicaragua, Pakistan, Panama, Romania, Russian Federation, Slovenia, South Africa, Trinidad & Tobago, United Arab Emirates, and Uruguay.