

WORLD TRADE ORGANIZATION

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Negotiating Group on Maritime Transport Services

NOTE ON THE MEETING OF 26 AND 29 MARCH 1996

The Negotiating Group on Maritime Transport Services held its tenth meeting on 26 and 29 March 1996. The agenda of the meeting was contained in Airgram WTO/AIR/296 of 12 March 1996.

Under item A of the agenda, submission of offers, the Chairman emphasized the need for all participants to submit comprehensive conditional offers as soon as possible. Brazil, Colombia and the Côte d'Ivoire submitted their first offers during the course of the meeting. Each offer covered all the three pillars: international shipping, maritime auxiliary services, and access to and use of port services. Argentina, Mexico, Morocco and Poland indicated that they would soon submit offers, while Indonesia and Singapore said that they would respond positively to the call for improved offers. Australia, the European Communities, Japan, New Zealand and Norway were among those who welcomed the new offers and the indications that others would be forthcoming. The Chairman noted that Switzerland had not merely reinstated the offer which it withdrew in 1993, but had improved upon it. Some Members expressed disappointment that not all major participants had submitted offers.

Under item B, developments in bilateral negotiations, most members expressed satisfaction with the bilaterals conducted during the week, even though there was concern about the lack of meaningful participation on the part of some Members. The European Communities noted that progress was being made but it was too early to say whether the sense of responsibility that it had encountered among participants would bear fruit. Norway emphasized the need for participants to be flexible in the current negotiations, and said that neither GATS nor the WTO could afford the failure of these negotiations. It also pointed out that maritime transport was part of the GATS, and would be legally covered by the GATS, irrespective of the outcome of the current negotiations. Australia and Singapore also noted that the outcome of the current negotiations would have implications for the multilateral trading system. Singapore stressed that meaningful bilaterals could only take place if countries revealed what they were willing to offer. It was concerned that the failure of the current negotiations would send a negative signal to the Ministerial Conference to be held later this year in Singapore. The United States, while encouraged by the new offers, emphasized that the offers should be liberalizing rather than merely reflect the current situation. It was not convinced that the existing offers fulfilled this requirement. It would base a decision to reconsider its position on future developments. Canada said that it was important to set aside questions of the appropriate division of negotiating responsibility and move ahead. Several Members reiterated their commitment to a successful conclusion to the negotiations.

Japan, presenting written comments on the Australian paper circulated during the previous meeting, stated that commitments on multimodal transport services would not be valuable in the absence of substantial commitments on the three pillars. Canada suggested that the draft schedule be recirculated after it had been revised to include some of the scheduling options with respect to multimodal transport. The Chairman endorsed the Canadian suggestion.

Under item C of the agenda, matters relating to paragraph 7 of the Decision on Negotiations on Maritime Transport Services, the European Communities, Japan and Norway again expressed their concern over the recent enactment of the United States legislation which permits the export of North Alaskan oil but reserves its transportation to United States-flag ships. Japan said that this was in conflict with paragraph 7 of the Ministerial Decision on Negotiations on Maritime Transport Services which called for a standstill during the negotiations and prohibited participating countries from taking measures which may improve their negotiating position. The European Communities and Norway shared Japan's concerns.

It was decided that the NGMTS would meet next on 8 May 1996, and then at a high level on 23 May 1996.