



**ANNUAL REPORT OF THE COUNCIL FOR TRADE IN SERVICES
TO THE GENERAL COUNCIL (2019)**

Since its Annual Report of 2018 to the General Council¹, the Council for Trade in Services held five formal meetings, respectively on 7 December 2018, 21 March, 27 June, 29-30 October (dedicated session to review the operation of preferences notified under the LDC services Waiver) and 30 October 2019.² During the period covered by this report, the Council addressed the following matters.

1 NOTIFICATIONS MADE TO THE COUNCIL PURSUANT TO GATS ARTICLES III:3, V:7 AND VII:4

1.1. The Council for Trade in Services took note, altogether, of the following notifications:

a. Notifications pursuant to Article III:3 of the GATS

Switzerland	S/C/N/922
Japan	S/C/N/930
New Zealand	S/C/N/931 - S/C/N/945
Macao, China	S/C/N/946
India	S/C/N/947 - S/C/N/950
Senegal	S/C/N/955 - S/C/N/958 and S/C/N/958/Corr.1
Hong Kong, China	S/C/N/874/Add.1
Kazakhstan	S/C/N/960
Lesotho	S/C/N/962 - S/C/N/968
Bahrain, Kingdom of	S/C/N/969
Australia	S/C/N/970

b. Notifications pursuant to Article V:7 of the GATS

Peru and Honduras	S/C/N/918
Philippines, Liechtenstein, Switzerland and Norway	S/C/N/919
Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Viet Nam	S/C/N/920
European Union and Japan	S/C/N/921
Hong Kong, China; and Georgia	S/C/N/923
United States and the Republic of Korea	S/C/N/621/Add.1
Canada and Chile	S/C/N/65/Add.2
Bangladesh, China, India, Lao PDR, Republic of Korea and Sri Lanka	S/C/N/954
European Union and Armenia	S/C/N/959
Chile and China	S/C/N/577/Add.1

¹ Document S/C/55.

² Reports of these meetings are contained in documents S/C/M/137 to S/C/M/141, with S/C/M/140 and S/C/M/141 forthcoming, and should be read in conjunction with this report.

The agreements notified in these documents were referred to the Committee on Regional Trade Agreements for consideration.

c. Notifications pursuant to Article VII:4 of the GATS

India	S/C/N/924 - S/C/N/929
New Zealand and Australia	S/C/N/951
Montenegro	S/C/N/952 - S/C/N/953
Australia, Japan, Republic of Korea, New Zealand and Thailand	S/C/N/961

1.2. At the meeting held in March, the Council took note of the updated Secretariat Note containing a statistical account of the notifications made under relevant GATS provisions.³ Several Members observed that, as the Note detailed, developing countries and LDCs had submitted more GATS notifications, especially under Article III:3, than most developed countries. These Members called for a discussion of the reasons behind this discrepancy, while also stressing the need to take into account the capacity constraints faced by developing countries and LDCs with regard to notification obligations. One Member argued that, in light of the push to negotiate rules on e-commerce, investment facilitation and MSMEs, notifications of measures related to these areas that significantly affected trade in services were especially relevant.

1.3. All Members who spoke underlined the importance of transparency. A delegation noted that the measures notified pursuant to GATS Article III:3 were significantly fewer than those listed in the Director-General's Report on trade-related developments, although the discrepancy might be partly explained by the fact that not all measures in the Report related to sectors where specific commitments had been undertaken. This delegation, supported by several others, called on Members to exchange views on how notification efforts under the GATS might be improved; in this regard, it suggested that the Council could consider examples of best practice in notifications; ways in which Capitals and the private sector might be better involved in the notification process; whether sufficient time was provided for notifications to be analysed; whether some notifications, such as those under Article VII:4, could be jointly submitted by the Members concerned; and whether a central notification submission portal might prove useful for services trade measures. A couple of Members underscored the interpretation and implementation challenges of Article III:3, in terms of the subjective nature of the obligation and its relevance to "trade in services" rather than "services" more generally. Delegations who intervened stated that they looked forward to discussing those issues with interested Members, in different configurations.

1.4. One delegation noted that the Secretariat Note omitted the notification obligation contained in paragraph 5(c) of the GATS Annex on Telecommunications.

2 AN INCLUSIVE APPROACH TO TRANSPARENCY AND NOTIFICATION REQUIREMENTS IN THE WTO

2.1. At its October meeting, the Council addressed a communication on "An inclusive approach to transparency and notification requirements in the WTO" from the African Group, Cuba, India and Oman.⁴ The co-sponsors highlighted that transparency was important for the operation and monitoring function of the WTO. They noted that notifications required capacities that developing countries often lacked, called for existing obligations to be made commensurate with Members' level of development and objected to proposals for new transparency obligations and punitive enforcement approaches.

2.2. They stated that transparency should not be pursued selectively, and noted that, based on the information produced by the Secretariat⁵, most developed countries had submitted fewer GATS notifications than developing countries and LDCs, particularly under Article III:3, and thus encouraged developed Members to improve submitting notifications. They argued that notifications of measures related to e-commerce, investment facilitation and MSMEs that significantly affected trade in services were especially relevant in light of the push to negotiate rules in these areas. The proponents advocated for improved transparency and notification in the WTO while emphasizing a

³ Document JOB(09)/10/Rev.9.

⁴ Document JOB/SERV/292/Rev.2.

⁵ Document JOB(09)/10/Rev.9.

need to take into account the needs and requirements of developing and least developed countries in developing transparency in services, domestic rule-making as well as the international trading system itself.

2.3. Developed Members did not accept the co-sponsors' characterization of their implementation of GATS notification requirements, while expressing openness to engage in further discussions on the issue. All the delegations who intervened said that they shared the proponents' objective to improve transparency and compliance with notification requirements and welcomed suggestions about how this objective might be pursued. A number of Members acknowledged the capacity constraints faced by developing countries and, while appreciative of the Secretariat's technical assistance efforts in this area, one delegation called for an examination of why it had not been enough to remedy the difficulties encountered by developing countries with notifications. A couple of delegations welcomed the fact that the discussion was taking place in the relevant WTO bodies with specific expertise.

2.4. Several Members stated their readiness to engage in a conversation on how transparency of services trade measures could be improved. A number of Members mentioned relevant suggestions that had been put forward at the March meeting. One delegation underlined its practice of developing services measures in a transparent and open manner and, while welcoming efforts to improve transparency, stressed that transparency had to be assessed in actual practice and should not be only about a perfunctory submission of notifications. Another delegation presented information about the manner in which it had organised its domestic consultations related to services notifications, and other delegations also referred to the importance of domestic coordination processes.

2.5. The proponents said that they would be updating their communication in order to reflect the many useful comments made and to see how to account for Agreement-specific issues, and indicated their intention to submit a draft decision on transparency to the General Council.

3 OPERATIONALIZATION OF THE LDC SERVICES WAIVER

3.1. The Council discussed the operationalization of the LDC services Waiver at all meetings held during the reporting period. As part of the process to review the operation of preferences notified under the Waiver, it also held a dedicated session on 29 and 30 October 2019.

3.2. At the meeting held in December 2018, Members continued discussions of the LDC Group communication titled "Possible Elements for a Review of the Operation of Notified Preferences"⁶ and agreed to hold a dedicated session as part of the process to review the operation of the preferences notified under the Waiver that was mandated by the Nairobi Ministerial Decision. They also agreed that the Chairman would engage with delegations to refine the format, date, content and overall organisation of the dedicated session. A couple of delegations shared information on the utilisation of the preferences notified and their efforts to enhance LDC participation in world services trade.

3.3. In March, the LDC Group informed the Council that its own consultations were still ongoing. A delegation shared information on the utilisation of the preferences it had notified, including in relation to waiving visa fees.

3.4. At the June meeting, the Chairman informed Members that, following two rounds of informal consultations with the LDC Group and notifying Members, broad agreement had been found among participants to structure the dedicated session in two parts: Part I would be a workshop, to allow Members and relevant stakeholders to exchange information related to the participation of LDCs in services trade, and Part II would be organised as a formal meeting of the Council. The Secretariat had been asked to prepare a draft programme outline for the workshop⁷, based on the information and comments exchanged, while the Chairman had been requested to draw up the proposed agenda items for the formal meeting, together with an annotation to provide context and guidance to Members in preparing their participation in the meeting.⁸ The LDC Group had expressed a preference to hold the dedicated session in late October; as there had been no opposition to that suggestion,

⁶ JOB/SERV/284.

⁷ Document JOB/SERV/290.

⁸ Document JOB/SERV/289.

the Chairman proposed that the workshop be held on 29 October and the dedicated formal meeting on 30 October. The Council endorsed the proposed approach in its entirety.

3.5. At the start of the formal dedicated meeting held in October, the Chairman provided a factual account of the informal workshop, titled "Facilitating the Increasing Participation of Least Developed Countries in Trade in Services", held the previous day.⁹ He stated that presentations and contributions had been rich and diverse, and had offered interesting and valuable insights.

3.6. The Secretariat gave a presentation on the main trends in LDC services trade, focusing principally on bilateral trade, and highlighted in detail gaps in data collection and reporting. The presentation prompted a number of questions, mostly revolving around what strategies and best practices could be put in place to improve data collection.

3.7. The LDC Group, and individual LDCs that intervened, noted the limitations that their service suppliers faced, such as infrastructural constraints, regulatory obstacles in export markets, insufficient financing or the high costs of obtaining insurance coverage. A couple of LDCs referred to the national strategies they had implemented related to services trade. Many LDCs underscored the significant data and information gaps regarding their services exports and called on UNCTAD and ITC to help them, inter alia, identify those services sectors where they had a comparative advantage, and on the WTO Secretariat to continue with its efforts to remedy the shortcoming in their trade data.

3.8. The LDC Group thanked all Members having notified preferences under the Waiver and called on those that had not yet submitted notifications to do so. They underlined the elements in the preferences notified that they had found to be of particular value, called on notifying Members to do more to orient LDC suppliers to the preferences granted and to build awareness in their markets about those preferences. They noted the importance of the Waiver but also argued that preferences needed to go hand-in-hand with a strengthening of their domestic supply capacity, and called on Members to undertake further capacity-building and technical assistance efforts to this end. A number of LDCs pointed to visa, stay and work permit requirements, lack of accreditation of their institutions and non-recognition of qualifications as amongst the most significant export obstacles that their service suppliers faced.

3.9. Many notifying Members intervened, with several indicating that the information shared at the workshop had been helpful to understand the challenges faced by LDC exporters. Most noted the supply-side constraints, as also highlighted by the LDCs themselves, and underscored the need to look beyond the Waiver and take a more holistic approach to increase the participation of LDCs in world services trade. A number emphasised that it was important for the Waiver preferences to be complemented by Aid for Trade and other relevant capacity-building initiatives.

3.10. Many of the notifiers noted the need for better statistics and for further assistance to be provided to LDCs with regard to data collection. Several also remarked that the available data showed that most LDCs exports went to neighbouring markets.

3.11. Given the various references made in the workshop to the importance of the domestic regulatory environment, of attracting foreign investment and of the digital infrastructure, several of the notifiers referred to the relevance of the discussions under the JSIs on domestic regulation, investment facilitation and e-commerce, and invited LDCs to engage in those initiatives.

3.12. Several delegations recalled the details of the preferences they had notified, with a number presenting the data they had been able to gather about the utilisation of their preferences; a couple of the notifiers cautioned, however, that the information necessary to assess the use of their preferences did not exist. A number of Members also presented their development assistance efforts in favour of LDCs.

3.13. At its October meeting, the Council took note of the dedicated session that had just been held.

⁹ The programme of the event with speakers' presentations and remarks may be accessed at: https://www.wto.org/english/tratop_e/serv_e/workshop291019_e.htm.

3.14. To date, the Council has received a total of 24 notifications of preferences in favour of LDC services and service suppliers, on the part of 51 Members.¹⁰ As the Operationalization of the LDC Services Waiver is a standing item on its agenda, the Council will take up the issue again at its next formal meeting.

4 WORK PROGRAMME ON ELECTRONIC COMMERCE

4.1. The Council discussed the Work Programme on Electronic Commerce at all its formal meetings, in accordance with the Buenos Aires Ministerial mandate to continue the work under the Work Programme and endeavour to reinvigorate work by Members.

4.2. At the December 2018 meeting, India drew Members' attention to the communication submitted to the General Council jointly with South Africa, titled "Moratorium on customs duties on electronic transmissions: Need for a re-think"¹¹, and affirmed that the Moratorium's implications needed be re-examined. Numerous other delegations referred to their own position on the Moratorium as articulated at the General Council, and noted that dedicated discussions on that issue were taking place in that forum.

4.3. One Member was of the view that, given that e-commerce presented not only opportunities but also challenges, particularly for developing countries, suggestions for WTO rules on e-commerce were premature. This delegation reiterated its concerns with regard to the plurilateral Joint Statement Initiative (JSI) on e-commerce, which it viewed as running counter to the exploratory mandate of the multilateral Work Programme on Electronic Commerce. Another delegation noted that the JSI was an open and transparent process, where ideas were welcomed.

4.4. At the March meeting, China presented information on its new Electronic Commerce Law, the United States reported on its initiative with Lao PDR on digital economy issues and Australia shared information about its "Tech Future" digital economy strategy. All delegations who intervened expressed appreciation for the information and experiences shared. Many Members called for work under the Work Programme to continue and be intensified, and to focus on the issues of relevance to developing countries and LDCs. Several Members said that it was premature to consider negotiating rules on e-commerce, and one delegation reiterated its serious concerns with plurilateral e-commerce discussions under the JSI.

4.5. In June, the United States introduced a submission on "The Economic Benefits of Cross-Border Data Flows"¹², intended to both reinvigorate work under the Work Programme and complement efforts in the JSI negotiations. All delegations who intervened expressed appreciation for the US submission. Several said that the communication illustrated the importance of data flows for digital trade in different sectors; a couple noted that data flows could contribute to improving the economic participation of under-represented groups; and a few others observed that obligations were increasingly being placed on companies in relation to data flows.

4.6. A number of Members underscored the point in the submission about the importance of finding a balance between the free cross-border flow of data and the pursuit of public policy objectives. Certain delegations maintained that the paper focused excessively on the benefits of data flows and did not adequately discuss the risks. Noting that data was a critical asset, they said that data ownership and localisation were essential for developing countries' economic development. LDCs called for discussions to focus on their experience and the challenges they faced.

4.7. Some delegations were supportive of the suggestion in the US submission that international groups having carried out work on the issue of data flows, like the OECD or APEC, be invited to present it to the Council. Other delegations called for UNCTAD to be invited to contribute as well. One delegation cautioned against the WTO discussing privacy regimes, underscoring that privacy was not a trade issue but a fundamental right.

¹⁰ Notifications were submitted by: Australia; Brazil; Canada; Chile; China; the European Union; Hong Kong, China; Iceland; India; Japan; the Republic of Korea; Liechtenstein; Mexico; New Zealand; Norway; Panama; Singapore; South Africa; Switzerland; Chinese Taipei; Thailand; Turkey; the United States and Uruguay.

¹¹ WT/GC/W/747.

¹² S/C/W/382.

4.8. Several delegations shared relevant experiences and information: China presented two case studies on how e-commerce could contribute to inclusive and sustainable growth; Canada shared information about relevant activities of its Trade Facilitation Office; Egypt gave an overview of its new Consumer Protection Law; and New Zealand provided examples of the role of digital technologies and data flows in the agritech and gaming and apps sectors.

4.9. At the October meeting, the United States provided additional clarifications on various questions that had been posed at the previous meeting about its submission, and a couple of delegations offered further observations on the US paper. China presented a case-study on e-commerce and poverty alleviation. One delegation noted the impending expiry of the Moratorium and recalled its position and submissions¹³ on the issue made in the General Council, remarking that the Moratorium was an issue of a cross-cutting nature.

4.10. The Buenos Aires Ministerial Decision mandates the General Council to hold periodic reviews of work under the Work Programme based on the reports submitted by the relevant WTO bodies. Pursuant to that mandate, in December 2018, and again in June 2019, the Council agreed that the Chairman would produce, under his own responsibility, a factual report of the essence of the discussions the Council had had under that agenda item up to those respective points in time.¹⁴ In addition, in October the Council agreed that, since the 12th Ministerial Conference would not take place in December 2019 but in June 2020, the Chairman would produce, under his own responsibility, an additional report for the December meeting of the General Council.

5 UPDATE OF THE SECRETARIAT BACKGROUND NOTE ON MODE 4

5.1. The Council addressed this agenda item upon India's request. In December 2018, India put forward an earlier request that the Secretariat update its 2009 Background Note on mode 4¹⁵ and, following discussions with other delegations who had made suggestions, could agree that the Secretariat also update its two other modal Notes¹⁶ and produce an additional Note on inter-modal linkages. Various Members supported India's proposal. One delegation said that, although it failed to see why updating the modal Notes was necessary, it could be flexible. Another indicated that, in a spirit of compromise, it could support the production of new Notes on each mode of supply, rather than updates, either in one single document or in separate ones, provided that new and relevant information or statistical updates were available. The Council agreed that the Chairman would have further contacts with the delegations concerned to see if an agreement could be reached.

5.2. At the March meeting, India reiterated its request that the Secretariat update its Note on mode 4, a request that was supported by a number of delegations. India could also agree that, based on the suggestions by other delegations, the Notes on the remaining modes of supply be updated as well, and that in addition the Secretariat prepare a new Note on inter-modal linkages. A couple of delegations, however, sought additional clarifications on how the updated Note on mode 4 would differ from the previous one, and questioned that there was significant new information to justify an update. Some replies were provided.

5.3. At the June meeting, India repeated its request and indicated that it could explore the idea of the Secretariat producing new, rather than updated, Notes, given that it had been told that this would be acceptable to the one delegation that had reservations. It wished to understand, however, what the specific concerns of that delegation were with regard to the previous Note. In response, that delegation clarified that it had been open to determining if any new relevant literature was available, but that it had never agreed or suggested that new Notes, on any of the modes of supply, would be appropriate; a Note on intermodal linkages, instead, would be novel and might be considered. At the October meeting, noting that there appeared to be a misunderstanding, India restated its request, and asked the delegation that had reservations to confirm its position; the delegation in question confirmed that its position as expressed at the June meeting remained unchanged.

¹³ Documents WT/GC/W/747 and WT/GC/W/774.

¹⁴ The reports are contained in documents S/C/56 and S/C/57.

¹⁵ Document S/C/W/301.

¹⁶ Document S/C/W/304 on modes 1 and 2, and document S/C/W/314 on mode 3.

6 CYBERSECURITY MEASURES OF CHINA

6.1. At the request of Japan and the United States, at its December 2018 meeting the Council addressed the cybersecurity measures adopted and under development by China. The United States also submitted a communication under that agenda item.¹⁷ The two requesting delegations shared their concerns with various aspects of the measures at issue and sought additional information and clarity on the same. They were echoed by several Members. After noting the challenge that all Members faced in ensuring cybersecurity, China shared the replies it had already provided in the past and thereafter reiterated its concerns about measures by the United States that it alleged might affect other Members' cybersecurity interests.

6.2. At the March meeting, at the request of Japan, the Council reverted to China's cybersecurity measures. Japan shared its continuing concerns with the measures at issue, and its statement was supported by a number of Members. China recalled the clarifications it had provided at the previous meeting and then raised its own concerns about the definition of "critical infrastructure" in Japan's Action Plan on information security measures.

6.3. At the request of Japan and the United States, the Council reverted to China's cybersecurity measures at its June meeting. Japan and the United States shared their persisting concerns with several aspects of China's Cybersecurity Law and implementing measures and sought explanations from China about two new draft measures that had been recently released for comment. Several Members echoed the concerns raised. In reply, China provided preliminary feedback on the questions posed on its newly released draft measures, and then shared some of its own concerns with a cybersecurity measure by the United States.

6.4. At the request of Japan and the United States, at its October meeting the Council again addressed China's cybersecurity measures. The two requesting delegations raised their enduring concerns about China's cybersecurity measures, including its recently adopted Encryption Law, and sought various clarifications. Their concerns were echoed by several Members. China provided updates on its Encryption Law and offered responses to the questions raised.

7 CYBERSECURITY MEASURES OF VIET NAM

7.1. At the request of Japan and the United States, at its December 2018 meeting the Council addressed Viet Nam's Law on Cybersecurity and related implementing measures. The two requesting delegations shared their concerns with the measures at issue. Their statements were echoed by several Members. Viet Nam provided information about the relevant legislative process and indicated that the scope of some obligations in the measures at issue had been reduced.

7.2. The Council reverted to Viet Nam's cybersecurity measures, again at the request of Japan and the United States, at its March meeting. While the two requesting delegations appreciated Viet Nam's efforts to narrow down the scope of certain obligations in the measures at issue, they still had concerns with various elements. Their interventions were echoed by a number of Members. Viet Nam recalled the explanations provided at the previous meeting and reiterated that its legislative process was open and transparent.

7.3. At the June meeting, Japan and the United States again requested the Council to address Viet Nam's cybersecurity measures. They sought clarifications on the status of the legislative process and urged Viet Nam to continue to engage with stakeholders and take their comments into account. Their statement was echoed by several Members. Viet Nam underlined that its legislative process was open and transparent.

7.4. At the request of Japan and the United States, the Council addressed Viet Nam's cybersecurity measures again at its October meeting. The two requesting delegations reiterated their continuing concerns with the measures at issue. Their interventions were echoed by several Members. Viet Nam reiterated that its legislative process was open and transparent.

¹⁷ Document S/C/W/378.

8 RECENT DEVELOPMENTS IN TRADE IN SERVICES STATISTICS

8.1. At the October meeting of the Council, the Secretariat delivered a presentation on recent developments in trade in services statistics, which focused on the WTO's trade in services Data Hub, technical assistance activities, latest developments and new initiatives. In reply to a question from a delegation, the Secretariat said that it would undertake outreach activities with national statistical compilers related to those developments.

9 WORK OF THE SUBSIDIARY BODIES

9.1. The activities of the subsidiary bodies in 2019 are reflected in their respective reports, which are annexed to this report, as follows:

Annex I	Report of the Committee on Trade in Financial Services (S/FIN/34)
Annex II	Report of the Committee on Specific Commitments (S/CSC/25)
Annex III	Report of the Working Party on Domestic Regulation (S/WPDR/23)
Annex IV	Report of the Working Party on GATS Rules (S/WPGR/30).

ANNEX I



**WORLD TRADE
ORGANIZATION**

S/FIN/34

21 November 2019

(19-7938)

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**ANNUAL REPORT OF THE COMMITTEE ON TRADE IN FINANCIAL SERVICES
TO THE COUNCIL FOR TRADE IN SERVICES (2019)**

1.1 Since its previous Annual Report to the Council for Trade in Services¹, the Committee on Trade in Financial Services held one formal meeting, on 28 October 2019.²

1.2 At that meeting, the Committee addressed a proposal by China to organize a thematic seminar on "FinTech: Trade, Financial Inclusion and Development" (document S/FIN/W/94). The proposal gathered broad support from Members. As suggested by Members, the Chairperson will hold consultations on the program of the proposed event.

¹ S/FIN/33, dated 27 November 2018.

² The report of the formal meeting is contained in document S/FIN/M/93, and should be read in conjunction with this report.

ANNEX II**WORLD TRADE
ORGANIZATION****S/CSC/25**

21 November 2019

(19-7939)

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**ANNUAL REPORT OF THE COMMITTEE ON SPECIFIC COMMITMENTS
TO THE COUNCIL FOR TRADE IN SERVICES (2019)**

1. Since its 2018 annual report to the Council for Trade in Services¹, the Committee on Specific Commitments (CSC) has held three formal meetings, on 19 March 2019, 24 June 2019 and 28 October 2019 respectively.²
 2. At these meetings, further to a communication from the Kyrgyz Republic dated 7 March 2019³, the Committee held substantive discussions on scheduling issue related to mode 4 including economic needs tests or labour market tests; categories of natural persons scheduled; and relationship between horizontal and sectoral commitments. In view of the ambiguity and lack of transparency in mode 4 commitments, the communication from the Kyrgyz Republic suggested some questions for discussion and possible future work for the Committee's consideration. In this context, a number of delegations also shared experience in their administration of labour market tests.
 3. At the meeting on 28 October 2019, the Secretariat made a presentation on recent developments in the measurement of digital trade by the international statistical community, with focus on the conceptual framework, trade in services and related classification challenges.
 4. At the meeting on 28 October 2019, the Committee also considered possible future work based on the Chairperson's preceding consultations.
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¹ Annual Report of the Committee on Specific Commitments to the Council for Trade in Services (2018), contained in document S/CSC/24 dated 27 November 2018.

² The reports of these meetings are contained in documents S/CSC/M/79, S/CSC/M/80 and S/CSC/M/81 (to be issued), which should be read in conjunction with this report.

³ Document JOB/SERV/287.

ANNEX III



WORLD TRADE
ORGANIZATION

S/WPDR/23

21 November 2019

(19-7937)

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**ANNUAL REPORT OF THE WORKING PARTY ON DOMESTIC REGULATION
TO THE COUNCIL FOR TRADE IN SERVICES (2019)**

1. Since its Annual Report of 2018 to the Council for Trade in Services¹, the Working Party on Domestic Regulation held two formal meetings, on 5 December 2018 and 20 March 2019.²
2. At the formal meeting of 5 December 2018, the Working Party addressed a communication from India³ containing a draft for discussion on disciplines for supply of a service through the presence of a natural person of a Member in the territory of another Member. India's introductory statement to their communication was circulated to Members.⁴
3. During the formal meeting of 20 March 2019, the Working Party addressed a communication from India⁵ containing a revised draft for discussion on disciplines for supply of a service through the presence of a natural person of a Member in the territory of another Member. India's revised proposal introduced, *inter alia*, disciplines on application procedures and requirements for temporary entry related to fulfilment of domestic regulations under Article VI:4. India's introductory statement to their communication was circulated to Members.⁶ While some Members expressed support, others raised questions or expressed doubt about whether this approach could lead to consensus.

¹ S/WPDR/22, dated 27 November 2018.

² The reports of the meetings are contained in documents S/WPDR/M/74 and S/WPDR/M/75. These should be read in conjunction with this report.

³ S/WPDR/W/61, dated 26 November 2018 - Communication from India; GATS Article VI:4 - Disciplines for Supply of a Service through the Presence of a Natural Person of a Member in the Territory of another Member.

⁴ RD/SERV/151, dated 5 December 2018 - Unofficial Room Document from India - Opening statement made at the WPDR meeting on 5 December 2018.

⁵ S/WPDR/W/61/Rev.1, dated 8 March 2019 - Communication from India; GATS Article VI:4 - Disciplines for Supply of a Service through the Presence of a Natural Person of a Member in the Territory of another Member - Revision.

⁶ RD/SERV/152, dated 20 March 2019 - Unofficial Room Document from India - Opening statement made at the WPDR meeting on 20 March 2019 - Revised Communication from India (S/WPDR/W/61/Rev.1).

ANNEX IV



WORLD TRADE
ORGANIZATION

S/WPGR/30

21 November 2019

(19-7940)

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**ANNUAL REPORT OF THE WORKING PARTY ON GATS RULES
TO THE COUNCIL FOR TRADE IN SERVICES (2019)**

1. This report has been prepared pursuant to the Procedures for an Annual Overview of WTO Activities and for Reporting Under the WTO (WT/L/105).
2. Since its 2018 annual report to the Council for Trade in Services¹, the Working Party on GATS Rules (WPGR) has held no meetings.

¹ Annual Report of the Working Party on GATS Rules to the Council for Trade in Services (2018), contained in document S/WPGR/29 dated 27 November 2018.