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S/WPDR/W/59

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(17-5970) Page: 1/2

Working Party on Domestic Regulation

- DRAFT –

ANNUAL REPORT OF THE WORKING PARTY ON DOMESTIC REGULATION TO THE COUNCIL FOR TRADE IN SERVICES (2017)

Since its Annual Report of 2016 to the Council for Trade in Services[1], the Working Party on Domestic Regulation (WPDR) held four formal meetings, respectively on 25 November 2016; 14 March 2017; 15, 16, 22 June and 5 July 2017; and 2-4 October 2017[2], and two informal meetings, on 27 February and 9 May 2017. During the period covered by this report, the Working Party continued with its work on the development of regulatory disciplines pursuant to GATS Article VI:4.

DEVELOPMENT OF REGULATORY DISCIPLINES UNDER GATS ARTICLE VI:4

1.1. During the formal meeting of 25 November 2016, the Working Party addressed two communications[3] by Members: one communication by a group of Members provided a revised text proposal on "Administration of Measures"[4], the other communication, by India, contained "Possible Elements of a Trade Facilitation in Services Agreement"[5]. Under Other Business, the delegation of Australia proposed to invite the International Organization for Standardization (ISO) to the next meeting of the Working Party to update Members on its recent work on services standards, and to hold a Member-driven exchange of information and experience on services standards.[6]

1.2. During the formal meeting on 14 March 2017, the Working Party addressed four new communications by groups of co-sponsors, on "Transparency"[7]; two communications on

[1] S/WPDR/19, dated 25 November 2016.
[2] The reports of the formal meetings are contained in documents S/WPDR/M/69 - 72 and should be read in conjunction with this report.
[3] In order to inform delegations about the latest version of communications that were subsequently revised to add co-sponsors, these communications are referred to by their latest revision.
[4] JOB/SERV/239/Rev.2, dated 14 June 2017; Communication from Australia, Chile, Colombia, the European Union, Japan, Kazakhstan, Mexico, Norway, Peru, Republic of Korea, and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu – Domestic Regulation – Administration of Measures.
[5] S/WPDR/W/57, dated 14 November 2016; Communication from India - Possible Elements of a Trade Facilitation in Services Agreement.
[6] RD/SERV/136, dated 24 November 2016; Communication from Australia – Domestic Regulation – Technical Standards.
[7] JOB/SERV/251/Rev.2, dated 14 June 2017; Communication from Australia, Colombia, the European Union, Hong Kong, China; Japan, Kazakhstan, Republic of Korea, Mexico, New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu - Domestic Regulation – Transparency.

"Development of Measures"[8;9]; and a communication from India concerning a "Trade Facilitation Agreement for Services"[10].

1.3. During the formal meeting of the Working Party on 15, 16, 22 June and 5 July 2017, Members addressed new communications by groups of co-sponsors on "Technical Standards"[11], "Development of Measures, Gender Equality"[12], and by Australia on "Development (Least Developed Countries)"[13].

1.4. At the formal meeting of 2-4 October 2017, the Working Party addressed a communication on "Disciplines on Domestic Regulation"[14], which brings together earlier negotiating proposals by proponents for domestic regulation disciplines in one document, as well as a communication[15] by India containing comments and text proposals to the above mentioned text. The delegation of India also circulated its opening remarks made at the meeting.[16] The African Group submitted a communication containing "Questions on Domestic Regulation".[17]

[8] JOB/SERV/250/Rev.1, dated 14 June 2017; Communication from Australia, Canada, Colombia, the European Union, Israel, Japan, Kazakhstan, Mexico, Norway and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu - Domestic Regulation - Development of Measures and JOB/SERV/252/Rev.2, dated 13 March 2017; Communication from Chile, Hong Kong, China; New Zealand and Switzerland - Domestic Regulation - Development of Measures.

[9] See footnote 5.

[10] S/WPDR/W/58, dated 23 February 2017, Communication from India - Trade Facilitation Agreement for Services.

[11] JOB/SERV/257/Rev.2, dated 14 June 2017; Communication from Australia, Chile; Colombia; Hong Kong, China; Japan; Republic of Korea; Mexico; New Zealand; Norway and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu – Technical Standards.

[12] JOB/SERV/258/Rev.5, dated 27 September 2017; Communication from Albania, Argentina, Canada, Chile, Colombia, the European Union, Iceland, Liechtenstein, the Republic of Moldova, Montenegro, Norway, Pakistan, Panama and Uruguay – Development of Measures, Gender Equality.

[13] JOB/SERV/261, dated 2 June 2017; Communication from Australia – Development – Least developed countries.

[14] JOB/SERV/268/Rev.3, dated 20 October 2017; Communication from Argentina; Australia; Canada; Chile; Colombia; Costa Rica; the European Union; Hong Kong, China; Iceland; Israel; Japan; Kazakhstan; the Republic of Korea; Liechtenstein; Mexico; the Republic of Moldova; New Zealand; Norway; Peru; Switzerland; and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; Turkey and Uruguay – Disciplines on Domestic Regulation.

[15] RD/SERV/145, dated 29 September 2017; Communication from India – India's comments on communication JOB/SERV/268 – Disciplines on Domestic Regulation.

[16] RD/SERV/146, dated 3 October 2017; Communication from India - India's Opening Remarks on Communication JOB/SERV/268/Rev.1 – Disciplines on Domestic Regulation.

[17] JOB/SERV/269, dated 27 September 2017; Submission by the African Group - Questions on Domestic Regulation.