COMMUNICATION FROM SWEDEN ON BEHALF OF THE NORDIC COUNTRIES

Proposal for a common approach to Maritime Transport Services under the GATS Agreement

The attached communication is circulated at the request of the permanent delegation of Sweden on behalf of the Nordic countries to the members of the Group of Negotiations on Services.

This communication contains a proposal for a possible approach to Maritime Transport Services. It is based on the present draft version of the GATS Agreement (contained in MTN.TNC/W/35/Rev.1) and should not be viewed as the final position of the Nordic countries.
PROPOSAL FOR A COMMON APPROACH TO MARITIME TRANSPORT SERVICES UNDER
THE GATS AGREEMENT

(to form an integral part of the Agreement and be binding for all Parties)

1. Objectives

Recognizing the special characteristics of the maritime transport services sector, the purpose of this text is to confirm the liberalization already achieved and to facilitate further liberalization of trade in maritime transport services.

2. Scope

This text shall apply to measures of a Party affecting trade in the maritime transport services sector.

3. Common approach to specific commitments on international shipping

(a) All Parties shall make a binding commitment not to impose any new restrictive and/or trade-distorting measures affecting international shipping services or suppliers of such services of other Parties.

(b) All Parties shall make a binding commitment to remove existing restrictive and/or trade-distorting measures affecting cross-border supply of international shipping services and suppliers of such services of other Parties, within three years after the entry into force of this Agreement.

4. Common approach to specific commitments on cabotage

In accordance with Articles XVI, XVII and XVIII of the Agreement, Parties may negotiate specific commitments to bind, reduce or remove existing restrictions affecting cabotage services and suppliers of such services of other Parties.
5. Common approach to specific commitments on maritime transport auxiliary services

(a) All Parties shall make a binding commitment not to impose any new restrictive and/or trade-distorting measures affecting maritime transport auxiliary services or suppliers of such services of other Parties.

(b) In accordance with Articles XVI, XVII and XVIII of the Agreement, Parties may negotiate specific commitments to reduce or remove existing restrictions affecting maritime transport auxiliary services and suppliers of such services of other Parties.

6. Access to and use of maritime transport auxiliary services

Each Party shall ensure that access to and use of maritime transport auxiliary services, offered within or from its territory, is accorded to maritime transport services and suppliers of such services of other Parties on reasonable and non-discriminatory terms and conditions.

7. Definitions

*Maritime transport services* = all services described in this paragraph.

*International shipping* = transportation of passengers or goods between ports located in different states, including passenger cruise traffic outside a Party's territorial waters.

*Cabotage* = transportation of passengers or goods between two ports located in the territory of the same Party, including passenger cruise traffic inside a Party's territorial waters.

*Maritime transport auxiliary services* = all services provided from port facilities or to assist vessels in ports (to be defined).