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**COMMUNICATION FROM FINLAND**

**Revised MFN Exemption List of Finland**

The following communication is circulated at the request of Finland to members of the Group of Negotiation on Services.

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Finland hereby submits a preliminary listing of those measures that Finland considers necessary to exempt from the application of Article II.

Finland, together with the other Nordic countries, has been a proponent of a strong MFN discipline under the GATS. Therefore, Finland is of the firm view that the scope of MFN exemptions should be limited to a minimum.

Over the past years, the Nordic countries have repeatedly raised questions concerning to what extent MFN exemptions have to be taken for certain measures, such as those contained in social security agreements. Our initial list of MFN exemptions reflected this uncertainty.

The Nordic countries continue to have questions concerning these measures, and we believe that they are best dealt with through collective solutions. Due to lack of time we are as well ready to seek procedural solutions which would allow us to address these questions properly at a later stage. However, Finland will not extend benefits contained in e.g. social security agreements on an MFN basis.

Finland has not sought exemptions for measures falling under the Agreement on the European Economic Area, which provide for the freedom of establishment, or provisions of services and of movement of labour between Finland and the European Community, Austria, Iceland, Norway and Sweden. Once the EEA Agreement has entered into force, it will be covered by Article V of the GATS. Should this not have taken place prior to the entry into force of the GATS, there may be need for the addition of these countries to the list of exemptions, to cover existing agreements and arrangements which are subsumed under the EEA.

Finland reserves her right to revise this list of MFN exemptions against the background of the exemptions sought by the other participants.

LIST OF ARTICLE II EXEMPTIONS FOR FINLAND

(1) Sector or Sub-Sector	(2) Description of Measure Indicating its Inconsistency with Article II	(3) Countries to which the Measure Applies	(4) Intended Duration	(5) Conditions Creating the Need for the Exemption
Road transport; passengers and freight.	Provisions of existing and future reciprocal bilateral and plurilateral agreements on international road transport (including combined transport, road/rail) reserving transport rights between the contracting parties or across the territory of the contracting party and cabotage transport.	All countries with which bilateral or plurilateral agreements are in force.	Indefinite.	Regional specificity of the road transport services.
Maritime transport; cabotage.	Reciprocal existing and future measures exempting vessels registered under the foreign flag of a specified other country from the general prohibition to operate cabotage transport in Finland.	All countries.	Indefinite.	Regional specificity of the maritime cabotage transport.

(1) Sector or Sub-Sector	(2) Description of Measure Indicating its Inconsistency with Article II	(3) Countries to which the Measure Applies	(4) Intended Duration	(5) Conditions Creating the Need for the Exemption
Audiovisual services; transmission of audiovisual programmes to the public.	Measures that are taken for the implementation and in conformity with the regulations such as the EC Television Broadcasting Directive (No. 89/552) and which define programmes of European origin in order to extend national treatment to audiovisual programmes meeting specific origin criteria.	Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded.	Indefinite.	The promotion of cultural identity within the broadcasting sector in Europe, as well as achievement of certain linguistic policy objectives.
				Preservation and promotion of the regional identity of the countries concerned.

(1) Sector or Sub-Sector	(2) Description of Measure Indicating its Inconsistency with Article II	(3) Countries to which the Measure Applies	(4) Intended Duration	(5) Conditions Creating the Need for the Exemption
Audiovisual services; production and distribution of cinematographic works and television programmes in Nordic countries.	Measures that are adopted for the implementation of benefits in conformity with such support programmes as the NORDIC FILM and TV FUND in order to enhance production and distribution of audiovisual works produced in Nordic countries.	Nordic countries.	Indefinite.	Preservation and promotion of the regional identity of the countries concerned.
All sectors.	Measures aimed at promoting Nordic cooperation such as: - guarantees and loans to investment projects and exports (The Nordic Investment Bank) - financial support to R&D projects (The Nordic Industrial Fund) - funding of feasibility studies for international projects (The Nordic Fund for Project Exports) - financial assistance to companies* utilizing environmental technology (The Nordic Environment Finance Corporation).	Denmark, Finland, Iceland, Norway and Sweden.	Indefinite.	To maintain and develop Nordic cooperation.  *applies to East European companies, which are cooperating with a Nordic company.