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Group of Negotiations on Services

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COMMUNICATION FROM SWEDEN

Revised MFN Exemption List of Sweden

The following communication is circulated at the request of Sweden to the members of the Group of Negotiations on Services.

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

Sweden, together with the other Nordic countries, has been a proponent of a strong MFN discipline under the GATS. Therefore, Sweden 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, Sweden will not extend benefits contained in e.g. social security agreements on an MFN basis.

Sweden has not sought exemptions for measures falling under the Agreement on the European Economic Area, which provides for the freedom of establishment, or provision of services and of movement of labour between Sweden and the European Community, Austria, Finland, Iceland and Norway. Once the EEA Agreement enters into force, it will be covered by Article V of the GATS.

Should this not have occurred prior to the entry into force of the GATS, there might be need for the addition of these countries to the list of exemptions, and for the exemption of additional measures, to cover existing agreements and arrangements which would be subsumed under the EEA Agreement. Sweden reserves the right to revise this list of MFN exemptions against the background of the revised MFN exemptions lists of other participants.

LIST OF ARTICLE II EXEMPTIONS FOR SWEDEN

(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
All Sectors	<p>Extension of full national treatment to investors from another country in relation to every kind of investment asset.</p> <p>Measures aimed at promoting Nordic cooperation, such as:</p> <ul style="list-style-type: none"> - 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) 	<p>Cote d'Ivoire Madagascar Senegal</p> <p>Denmark, Finland, Iceland, Norway and Sweden</p>	<p>Minimum 11 years</p> <p>Indefinite</p>	<p>The measure is contained in bilateral treaties.</p> <p>To maintain and develop Nordic co-operation.</p>
		<p>* East applies to East European companies which are cooperating with a Nordic country.</p>		

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Sector or Sub-Sector	Description of Measure Indicating its Inconsistency with Article II	Countries to which the Measure Applies	Intended Duration	Conditions Creating the Need for the Exemption
Maritime transportation services	Reciprocal existing and future measures exempting vessels registered under the foreign flag of a specified other country from the general prohibition to operate cabotage traffic in Swedish waterways.	All countries with which bilateral or plurilateral agreements are in force.	Indefinite	Decision by government formalized in bilateral agreements or exchanges of letters/notes.
Road transport (passenger and freight)	Provisions of existing or future bilateral or plurilateral agreements on international road transport (including combined transport road/rail) reserving or limiting the provision of a transport service into, in, across and out of Sweden to the contracting parties.	All countries with which bilateral or plurilateral agreements are in force.	Indefinite	The need for exemption is linked to the regional characteristics of road transport services.

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(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.
Audiovisual services; production and distribution of cinematographic works and television programmes.	Measures that are adopted for the implementation of benefits in conformity with such support programmes as MEDIA and EURIMAGES to audiovisual programmes and supplies to these programmes, meeting specific European origin criteria.	European countries	Indefinite	Preservation and promotion of the regional identity of the countries concerned.

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Sector or Sub-Sector	Description of Measure Indicating its Inconsistency with Article II	Countries to which the Measure Applies	Intended Duration	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.