

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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Trade Negotiations Committee

**FINAL ACT EMBODYING THE RESULTS OF THE
URUGUAY ROUND OF MULTILATERAL TRADE NEGOTIATIONS**

(VERSION OF 15 DECEMBER 1993)

Addendum

This Addendum contains, for the General Agreement on Trade in Services (GATS), both texts that were agreed and schedules and exemptions that were submitted prior to the conclusion of the negotiations on 15 December 1993, but too late to be incorporated in the printed version of the Final Act which was circulated that day. They nevertheless form an integral part of the GATS and therefore of the package of results of the Uruguay Round and of the Final Act to which they should be added. The Addendum includes the following:

1. Schedules of Specific Commitments
2. Article II (MFN) Exemptions
3. Annex and Decision on Negotiations in Maritime Transport
4. Names to be added to the list of participants in the Negotiations on Basic Telecommunications

1. The following list of "Schedules of Initial Commitments" should be **appended** to the Agreement:

SCHEDULES OF SPECIFIC COMMITMENTS

The following are the documents containing the schedules of specific commitments resulting from the negotiations on trade in services during the Uruguay Round.

Algeria	MTN.GNS/W/257
Antigua and Barbuda	MTN.GNS/W/217
Antilles (Netherlands)	MTN.GNS/W/161/Add.1
Argentina	MTN.GNS/W/125/Rev.4
Aruba (Netherlands)	MTN.GNS/W/159
Australia	MTN.TNC/W/51/Rev.3/Corr.2
Austria	MTN.TNC/W/66/Rev.2/Add.1
Bangladesh	MTN.GNS/W/202
Barbados	MTN.GNS/W/167
Belize	MTN.GNS/W/203
Benin	MTN.GNS/W/187
Bolivia	MTN.GNS/W/147
Brazil	MTN.GNS/W/116/Rev.2/Add.1
Burkina Faso	MTN.GNS/W/165
Cameroon	MTN.GNS/W/155/Rev.1
Canada	MTN.TNC/W/55/Rev.4
Chile	MTN.GNS/W/115/Rev.3
China	MTN.GNS/W/124/Rev.3/Add.1
Colombia	MTN.TNC/W/67/Rev.4
Congo	MTN.GNS/W/268
Costa Rica	MTN.GNS/W/127/Add.1/Rev.1
Côte d'Ivoire	MTN.GNS/W/153/Rev.1
Cuba	MTN.GNS/W/143/Add.1/Rev.1/Add.2/Corr.1
Cyprus	MTN.GNS/W/175/Rev.1/Corr.1
Czech Republic	MTN.GNS/W/168/Rev.1/Add.1
Dominican Republic	MTN.GNS/W/173
El Salvador	MTN.GNS/W/216
Egypt	MTN.GNS/W/137/Rev.2
The European Community and its Member States	MTN.TNC/W/53/Rev.5
Fiji	MTN.GNS/W/252
Finland	MTN.TNC/W/62/Rev.4/Add.1
Gabon	MTN.GNS/W/229
Ghana	MTN.GNS/W/157/Rev.2
Guatemala	MTN.GNS/W/245
Guyana	MTN.GNS/W/246
Honduras	MTN.GNS/W/192/Rev.1
Hong Kong	MTN.TNC/W/54/Rev.3
Hungary	MTN.GNS/W/133/Rev.2/Add.2
Iceland	MTN.TNC/W/74/Rev.4
India	MTN.GNS/W/144/Rev.2
Indonesia	MTN.TNC/W/64/Rev.2/Add.1
Israel	MTN.GNS/W/154/Rev.1
Jamaica	MTN.GNS/W/149/Corr.1

Japan	MTN.GNS/W/113/Rev.6/Add.1
Korea, Republic of	MTN.TNC/W/61/Rev.4
Macau	MTN.GNS/W/171/Rev.1
Madagascar	MTN.GNS/W/174
Malaysia	MTN.GNS/W/122/Rev.4
Malta	MTN.GNS/W/221
Mauritius	MTN.GNS/W/172
Mexico	MTN.TNC/W/71/Rev.3/Corr.1
Morocco	MTN.GNS/W/141/Rev.3
Mozambique	MTN.GNS/W/223
Myanmar	MTN.GNS/W/162/Rev.1
Namibia	MTN.GNS/W/179
New Caledonia (France)	MTN.GNS/W/270
New Zealand	MTN.TNC/W/58/Rev.3/Corr.1/Add.1
Nicaragua	MTN.GNS/W/222
Niger	MTN.GNS/W/240
Nigeria	MTN.GNS/W/150/Rev.1
Norway	MTN.TNC/W/63/Add.1/Rev.5
Pakistan	MTN.GNS/W/170/Rev.1
Paraguay	MTN.GNS/W/152/Rev.1
Peru	MTN.GNS/W/129/Rev.2
Philippines	MTN.GNS/W/131/Rev.3
Poland	MTN.GNS/W/126/Rev.3
Romania	MTN.TNC/W/78/Add.1/Rev.4
Saint Lucia	MTN.GNS/W/204
Saint Vincent and the Grenadines	MTN.GNS/W/200
Senegal	MTN.GNS/W/151/Rev.1
Singapore	MTN.TNC/W/65/Rev.4
Slovak Republic	MTN.GNS/W/169/Rev.1/Add.1
South Africa	MTN.GNS/W/136/Rev.2/Add.1
Sri Lanka	MTN.GNS/W/148/Corr.1
Suriname	MTN.GNS/W/219
Swaziland	MTN.GNS/W/180/Rev.1
Sweden	MTN.TNC/W/59/Rev.5/Corr.1
Switzerland	MTN.GNS/W/109/Rev.5/Add.1
Tanzania	MTN.GNS/W/251
Thailand	MTN.GNS/W/132/Rev.3
Trinidad and Tobago	MTN.GNS/W/160/Rev.1
Tunisia	MTN.GNS/W/158/Rev.3
Turkey	MTN.TNC/W/72/Rev.2/Corr.1/Add.1
Uganda	MTN.GNS/W/193
United States	MTN.GNS/W/112/Rev.4
Uruguay	MTN.GNS/W/128/Rev.2
Venezuela	MTN.GNS/W/123/Add.1/Rev.4
Zambia	MTN.GNS/W/186
Zimbabwe	MTN.GNS/W/156/Rev.1

2. The following list of "Article II Exemptions" should be **included** in the "Annex on Article II Exemptions" on page 27 of the Agreement:

ARTICLE II EXEMPTIONS

The following are the documents containing the lists of exemptions from Article II resulting from the negotiations on trade in service during the Uruguay Round. They will be listed in the Annex on Exemptions from Article II, as required by paragraph 2 of Article II.

Argentina	MTN.GNS/W/264
Australia	MTN.GNS/W/189/Corr. 1
Austria	MTN.GNS/W/249/Add.1
Benin	MTN.GNS/W/263
Bolivia	MTN.GNS/W/248
Brazil	MTN.GNS/W/195/Add.1
Cameroon	MTN.GNS/W/253
Canada	MTN.GNS/W/188/Add.2/Corr.1
Central African Republic	MTN.GNS/W/233
Chile	MTN.GNS/W/230
China	MTN.GNS/W/208
Colombia	MTN.GNS/W/225/Add.2
Congo	MTN.GNS/W/269
Costa Rica	MTN.GNS/W/255
Côte d'Ivoire	MTN.GNS/W/256
Cuba	MTN.GNS/W/272
Cyprus	MTN.GNS/W/237
Czech Republic	MTN.GNS/W/207/Rev.1
El Salvador	MTN.GNS/W/215
Egypt	MTN.GNS/W/220/Rev.1
The European Community and its Member States	MTN.GNS/W/228/Rev.1
Finland	MTN.GNS/W/191/Add.1
Gabon	MTN.GNS/W/231
Ghana	MTN.GNS/W/265
Guatemala	MTN.GNS/W/241/Rev.1
Honduras	MTN.GNS/W/214
Hong Kong	MTN.GNS/W/192
Hungary	MTN.GNS/W/226
Iceland	MTN.GNS/W/209/Add.1
India	MTN.GNS/W/199/Rev.1
Indonesia	MTN.GNS/W/242
Israel	MTN.GNS/W/236/Add.1
Jamaica	MTN.GNS/W/247
Korea, Republic of	MTN.GNS/W/262
Malaysia	MTN.GNS/W/183/Rev.3
Mali	MTN.GNS/W/271
Malta	MTN.GNS/W/267
Mexico	MTN.GNS/W/194/Add.1
Morocco	MTN.GNS/W/261
New Zealand	MTN.GNS/W/185/Rev.1
Niger	MTN.GNS/W/232

Nigeria	MTN.GNS/W/266
Norway	MTN.GNS/W/196/Add.1
Pakistan	MTN.GNS/W/250
Peru	MTN.GNS/W/235
Philippines	MTN.GNS/W/201/Rev.1
Poland	MTN.GNS/W/234/Rev.1
Romania	MTN.GNS/W/244
Senegal	MTN.GNS/W/213
Singapore	MTN.GNS/W/206/Rev.2
Slovak Republic	MTN.GNS/W/205/Rev.1
South Africa	MTN.GNS/W/218
Swaziland	MTN.GNS/W/238
Sweden	MTN.GNS/W/198/Rev.1
Switzerland	MTN.GNS/W/211/Rev.2
Thailand	MTN.GNS/W/258
Trinidad and Tobago	MTN.GNS/W/212
Tunisia	MTN.GNS/W/224
Turkey	MTN.GNS/W/184/Rev.1
United States	MTN.GNS/W/227/Rev.1
Uruguay	MTN.GNS/W/239/Rev.1
Venezuela	MTN.GNS/W/197/Rev.1

3. **Add** the following "Annex on Negotiations on Maritime Transport Services" as page 39 of the Agreement:

"ANNEX ON NEGOTIATIONS ON MARITIME TRANSPORT SERVICES

1. Notwithstanding paragraph 1 of Article II of the GATS and paragraph 2 of the Annex on Article II Exemptions, Article II and the Annex on Article II Exemptions, including the requirement to list in the Annex any measure inconsistent with most-favoured-nation treatment that a Member will maintain, shall enter into force for international shipping, auxiliary services and access to and use of port facilities only on:

- (a) the date of implementation of the results of the negotiations mandated by the Ministerial Decision on Negotiations on Maritime Transport Services; or,
- (b) should the negotiations not succeed, on the date of the final report of the Negotiating Group on Maritime Transport Services.

2. Paragraph 1 above shall not apply to any specific commitment on maritime transport services which is inscribed in a Member's schedule.

3. From the conclusion of the negotiations referred to in paragraph 1 above, and before the date of implementation of the results of these negotiations, Members shall be free to improve, modify or withdraw all or part of their commitments in this sector without offering compensation, notwithstanding the provisions of Article XXI.

4. References to the dates cited under paragraphs 1(a) and (b) above are contained in paragraph 4 of the Ministerial Decision on Negotiations on Maritime Transport Services."

Add the following "Decision on Negotiations on Maritime Transport Services" as Decision 7(i) in PART III - 7 (Decisions and Understanding on the General Agreement on Trade in Services). Page (ii) of the Table of Contents of the Final Act and Page 2 of the Table of Contents of the GATS Agreement should be amended accordingly.

"DECISION ON NEGOTIATIONS ON MARITIME TRANSPORT SERVICES

Ministers, meeting on the occasion of the conclusion of the Uruguay Round,

Noting that commitments scheduled by participants on Maritime Transport Services at the conclusion of the Uruguay Round shall enter into force on an MFN basis at the same time as the General Agreement on Trade in Services.

Decide as follows:

1. Negotiations shall be entered into on a voluntary basis in the sector of maritime transport services within the framework of the General Agreement on Trade in Services. The negotiations shall be comprehensive in scope, aiming at commitments in international shipping, auxiliary services and access to and use of port facilities, leading to the elimination of restrictions within a fixed time scale.

2. A Negotiating Group on Maritime Transport Services (NGMTS) is established to carry out this mandate. The NGMTS shall report periodically on the progress of these negotiations.

3. The negotiations in the NGMTS shall be open to all governments and the European Community signing the Final Act of the Uruguay Round which announce their intention to participate. To date, the following governments have announced their intention to take part in the negotiations:

Argentina, Canada, European Community and its member States, Finland, Iceland, Indonesia, Korea, Malaysia, Mexico, Poland, New Zealand, Norway, Philippines, Romania, Singapore, Sweden, Thailand, Turkey, United States.

4. The NGMTS shall hold its first negotiating session no later than one month from the date of this Decision. It shall conclude these negotiations and make a final report no later than June 1996. The final report of the NGMTS shall include a date for the implementation of results of these negotiations.

5. Until the conclusion of the negotiations paragraph 1 of Article II and paragraph 2 of the Annex on Article II Exemptions are suspended in their application to this sector, and it is not necessary to list MFN exemptions. At the conclusion of the negotiations, Members shall be free to improve, modify or withdraw any commitments made in this sector during the Uruguay Round without offering compensation, notwithstanding the provisions of Article XXI of the GATS. At the same time Members shall finalize their positions relating to MFN exemptions in this sector, notwithstanding the provisions of the Annex on Article II Exemptions. Should negotiations not succeed, the Council for Trade in Services shall decide whether to continue the negotiations according to the mandate.

6. Any commitments resulting from the negotiations, including the date of their entry into force, shall be inscribed in the schedules annexed to the General Agreement on Trade in Services and be subject to all the provisions of the Agreement.

7. Commencing immediately and continuing until the date (referred to in paragraph 4 above) of implementation of the results of these negotiations, it is understood that participants shall not apply any measure affecting trade in maritime transport services except in response to measures applied by other countries and with a view to maintaining or improving the freedom of provision of maritime transport services, nor in such a manner as would improve their negotiating position and leverage.

8. The implementation of paragraph 7 above shall be subject to surveillance in the NGMTS. Any participant may bring to the attention of the NGMTS any action or omission which it believes to be relevant to the fulfilment of paragraph 7. Such notifications shall be deemed to have been submitted to the NGMTS upon their receipt by the Secretariat."

4. PART III - 7 (Decisions and Understanding on the General Agreement on Trade in Services):

7(d) (Decision on Negotiations on Basic Telecommunications):

In paragraph 4, **add** the following names to the list (alphabetically): "Chile, European Community and its member States, Hong Kong, Slovak Republic, Turkey".