

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED
MTN.TNC/W/134
2 March 1994
Special Distribution

(UR-94-0058)

Trade Negotiations Committee

Original: Original

VERIFICATION OF SCHEDULES OF SERVICES COMMITMENTS

Communication to the Chairman of the Trade Negotiations Committee

The Chairman of the Trade Negotiations Committee at official level has requested that the following communication, dated 25 February 1994 and addressed to him by the Director of the Secretariat's Group of Negotiations on Services Division, Mr. D. Hartridge, be brought to the attention of the Uruguay Round participants.

The informal group which has been carrying out the verification of schedules of services commitments and MFN exemption lists on the basis set out in Airgram GATT/AIR/3544 has today concluded its work. The schedules and exemption lists of 62 participants have been discussed multilaterally on the basis of questions submitted by delegations. In the case of 33 participants which were unable to be represented at the meetings, the secretariat is communicating to Geneva delegations and to capitals the questions which have been raised and the views of the informal group on the way in which such matters should be dealt with in rectifying the schedules.

Delegations had been invited to submit questions concerning the technical accuracy and clarity of the schedules and exemption lists of other participants as a reflection of the agreed results of the negotiations, and their consistency with the guidelines established for their presentation. It was expected that the views expressed by the informal group would be taken into account by the government in question in preparing the final version of the documents for submission to Ministers. It was recognised that the informal group had no power to require that any changes should be made; that decision must be made by the government concerned, in accordance with the agreed rules. By the same token, the informal group had no power to grant any schedule or exemption list a certificate of legal conformity; the fact that a schedule or list had been discussed in the verification process, whether changes in it had been agreed or not, would not deprive any participant in the future of the right to question, if necessary through dispute settlement procedures, the conformity of any entry with the general obligations in the GATS. It is not possible by means of an entry in a schedule to derogate from these obligations.

In virtually all cases delegations agreed to make, or to seek authority for, improvements in the presentation of their schedules or exemption lists in response to points made by other participants. It seems certain that the technical quality and clarity of the schedules overall will be significantly improved as a result. In some cases participants drew attention to what they saw as failure to reflect results agreed in bilateral negotiations - either the omission of a commitment which had been expected or the inclusion of an unexpected limitation. Attention was also drawn to the submission after 15 December of some MFN exemptions.

./.

The informal group examined the schedules and exemption lists of a number of participants which will not be contracting parties at the time of the Marrakesh meeting and whose schedules, not being definitive at that stage, may be subject to further negotiation. I was asked to bring to your attention the suggestion that it would be helpful at the appropriate time to provide a further opportunity for discussion of these schedules, with a view to rendering them definitive.

Delegations are now submitting to the secretariat schedules and exemption lists revised in the light of the verification process. It was agreed that this should be done one week after the examination of the documents, in order to allow time for the preparation of the final versions in treaty form. Broadly speaking, the deadline is being respected. Once a document has been received and reproduced, it will be made available in the secretariat for examination by delegations.