

Workshop

Regulatory Frameworks to Facilitate Trade in Services November 14, 2019 / Room S1, WTO

Organized by MIKTA (Mexico, Indonesia, Korea, Turkey and Australia)

- On behalf of Mexico, chair of the MIKTA group this year, I would like thank all speakers and delegates attending this seminar. We appreciate the efforts of Korea and other MIKTA countries' in organizing this workshop.
- This workshop is relevant for this organization, particularly considering the Joint Initiative (JSI) on Domestic Regulation. During the MC11 in December 2017, 59 WTO members signed a Joint Statement on Services Domestic Regulation. Members reaffirmed their commitment in further advancing negotiations on domestic regulation and intensifying the efforts with the aim of concluding the negotiations of disciplines in the next Ministerial Conference.
- On May 23rd of 2019, 59 WTO members issued a second Joint Statement in order to continue working on outstanding issues, with a view to reach an outcome by the MC-12, to be held in Nur-Sultan, in June 2020. Currently, 61 countries are part of this JSI.
- During the last months, Members have been working hard to agree Disciplines on Domestic Regulation, which will be attached to the services GATS commitments. Twenty delegations accounting for forty-seven Members submitted their indicative draft schedules and other Members are in the process of submitting their communication. We have good signals that indicate that the JSI Members will be ready to fulfill the commitments signed in Paris. It will be good news for this organization, which needs to show its relevance in the rule-making pillar.

- By other hand, at regional and bilateral level, we have been seeing a lot of efforts to include good regulatory practices rules to facilitate international trade, including the cross-border trade in services. Many countries have been negotiating high standards on regulatory frameworks in recent FTA's.
- United States, Canada and Mexico Free Trade Agreement (USMCA-TMEC) includes a chapter on good regulatory practices, which refers to good governance procedures to promote transparency and accountability to develop, publish and implement regulations.
- These rules have the main objective of developing compatible regulatory approaches and reducing or even eliminating unnecessary burdensome, duplicative or divergent regulatory requirements. However, these disciplines does not prevent trade partners from pursuing public policy objectives or implementing obligations withing their own legal system.
- Moreover, at a regional level, the disciplines that have been sought have a horizontal approach that aims to guarantee transparency and good practices between Members. While in contrast, the DR disciplines strictly apply to licensing and qualifications requirements, which will be attached to Member's commitments in the GATS. We understand that there are some members who are willing to accept a sectorial expansion.
- We hope that this Seminar will be useful for the work of the JSI and WTO and I am confident that it will also provide the proper information and elements to the Members that have not yet joined officially the Joint Initiative in Domestic Regulation.