

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

MTN.GNS/W/93

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Special Distribution

Group of Negotiations on Services

EXISTING INTERNATIONAL ARRANGEMENTS AND DISCIPLINES
RELEVANT TO TRADE IN SERVICES: SUMMARY OF MATERIAL
MADE AVAILABLE TO THE GNS

Note by the Secretariat

1. This factual note has been prepared with a view to facilitating further discussion in the GNS in the area of existing international arrangements and disciplines pertinent to trade in services.
2. The information contained in this note is intended primarily as a reference tool and is structured as follows: part I summarises existing documentation on the work of international organizations on data in trade in services, while part II refers to documentary and discussion material of a more general kind dealing with the objectives, coverage and main features of existing international disciplines and arrangements. An overview of the international arrangements and disciplines addressed in specified documents is included at the end of this note.

Part I: Statistics

- (a) A summary of information made available by international organizations (ICAO, UNCTAD, ITU, WTO, IMF, OECD, UNSO, UNCTC, ECLAC, ILO and SELA) on the availability of data in services in their respective areas is contained in document MTN.GNS/W/5 (and Add 1 and 2). This document contains a preliminary report on (i) the availability, sources and main problems concerning data in services and (ii) technical assistance in services statistics by such organizations to developing countries.
- (b) Work in international organizations aimed at improving data in trade in services is contained in document MTN.GNS/W/9 (and Add.1). This document comprises written statements from UNSO, UNCTC, UNCTAD and IMF explaining their work in statistics on trade in services.
- (c) Statistics on trade in services, contained in document MTN.GNS/W/17 (and Add.1), consists of written replies from IMF, UNSO, and UNCTC to questions on statistics raised in the GNS meeting on 29 June-2 July 1987 by the Brazilian delegation.

Part II: General information

- (a) Summary of objectives, coverage and main features of existing international disciplines and arrangements relevant to trade in services contained in document MTN.GNS/W/16. A number of preliminary observations were made in this document including the following:

"The features, coverage and objectives of the disciplines and arrangements discussed cover a variety of services activities (civil aviation, maritime transport and telecommunications). They also relate to groups of activities (invisibles), economic variables (capital flows) and restrictions on trade (restrictive business practices). The disciplines and arrangements differ in structure and cover technical, economic, administrative and legal matters. They are based on multilateral intergovernmental agreements, bilateral/plurilateral governmental agreements and non-governmental agreements.

The sectoral disciplines and arrangements play an important role in assisting governments and private firms to maintain and develop the technical, legal and economic environment for international civil aviation, maritime transport and telecommunications. The disciplines and arrangements establish a set of agreements or understandings aimed at ensuring that service activities in these particular areas are developed on a co-operative basis, can better meet the requirements of the national and international markets and standards of comfort and convenience, and provide for an appropriate sharing of benefits among the participating countries. The primary objective of these sectoral arrangements and disciplines is, it should be noted, not trade liberalization but for example the elaboration of technical standards, the pooling of resources and the allocation of markets. Partly for these reasons, these arrangements also tend to be highly technical in character." (MTN.GNS/W/16, p.9)

- (b) Further information on existing international disciplines and arrangements is contained in document MTN.GNS/W/36 (and Add.1 and 2). In order to obtain more complete information than that contained in MTN.GNS/W/16, three international organizations - ITU, ICAO and UNCTAD - were invited to reply to a set of wide-ranging questions prepared by the Secretariat based on discussions to date in the GNS. The three replies to the questionnaire were then discussed at two meetings of the GNS; namely 17-20 May 1988 (MTN.GNS/15 paras.2-24) and 18-22 July 1988 (MTN.GNS/16 paras.2-27).
- (c) A summary of, and further information on, the disciplines and arrangements of certain international organizations were made

available to the GNS in the context of the sectoral testing exercise, relating to the examination of the implications and applicability of concepts, principles and rules for particular sectors and specific transactions. More specifically, the following secretariat background sectoral notes contain summaries of the main features, coverage and operations of a number of arrangements:

- (i) Telecommunications services (MTN.GNS/W/52): disciplines and arrangements of the ITU;
- (ii) Transport services (MTN.GNS/W/60): disciplines and arrangements of ICAO (Annex I) and IATA (Annex II), IMO Convention on facilitation of international maritime traffic (Annex III), and U.N. Code of Conduct for Liner Conferences (Annex IV);
- (iii) Tourism services (MTN.GNS/W/61): objectives, activities and membership of the WTO;
- (iv) Financial services (MTN.GNS/W/68): OECD codes of liberalization (Annex II), Basle Committee on banking regulations and supervisory practices (Annex III).

In addition, discussions on the role and operations of a number of these organizations and arrangements took place during the three meetings of the GNS concerned with the sectoral testing exercise. These were as follows: telecommunications (see the note on the meeting of 5-9 June 1989 in document MTN.GNS/23, paras.4-138); transport and tourism (see the note on the meeting of 17-21 July 1989 in document MTN.GNS/24, paras.5-66 for air transport, paras.67-88 for maritime transport, paras.89-115 for multimodal and other transport services, and paras.116-187 for tourism); financial services (see the note on the meeting of 18-22 September 1989 in document MTN.GNS/25, paras.2-86).

- (d) A communication from ICAO dated 14 December 1989 containing an assembly resolution on the subject of trade in services was formally submitted to the GNS (MTN.GNS/W/88).
- (e) A communication from the IMF on "The Role of the Fund in the Area of Services under its Articles of Agreement" was circulated to the members of the GNS on 10 January 1990 (MTN.GNS/W/91).

OVERVIEW OF GNS DOCUMENTATION ON INTERNATIONAL ARRANGEMENTS AND DISCIPLINES

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