Conclusion of the relevant agreements under Article XXI GATS on the necessary compensatory adjustments resulting from 1995 and 2004 enlargements

2007/0055(NLE) - 27/03/2007 - Document attached to the procedure

PURPOSE: to conclude the relevant agreements under Article XXI GATS (General Agreement on Trade in Services) with Argentina, Australia, Brazil, Canada, China, the Separate customs territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), Columbia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, and the United States, on the necessary compensatory adjustments resulting from the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden to the European Union.

PROPOSED ACT: Council Decision.

CONTENT: pursuant to Article XX of the General Agreement on Trade in Services (GATS), members of the WTO shall set out in a schedule the specific commitments they undertake under Part III of the GATS.

The current schedule European Community and its Member States only covers the specific commitments related to the twelve Member States of 1994. The individual schedules of specific commitments of the Member States that have joined the European Community in 1995 and in 2004 were adopted prior to their accession.

In order to ensure that the new Member States are covered by limitations included in the list of specific commitments of the European Community and to ensure consistency with the acquis communautaire, it was necessary to modify or withdraw certain specific commitments included in the list of specific commitments of the European Community and in the lists of specific commitments of the new Member States.

The Commission conducted negotiations with the affected WTO Members. As a result of those negotiations, agreement was reached on compensatory adjustments related to the modifications and withdrawals notified on 28 May 2004. Following the conclusion of the negotiations, the Commission was authorised to sign the respective agreements with each of the affected WTO Members concerned. Such agreements cover both the modifications and withdrawals notified by the European Community, together with the compensatory adjustments related to such modifications and withdrawals. With a view to launch the certification procedure provided for by the applicable WTO rules, the Commission transmitted the draft consolidated schedule to the WTO Secretariat. The certification was concluded on 15 December 2006.

The agreements contain modifications which concern trade in services in the field of transport and certain sectors which are mentioned in art. 133 (6) of the Treaty establishing the European Community. They constitute a satisfactory and balanced outcome of the negotiations. The Agreements should be approved on behalf of the European Community and its Member States.