



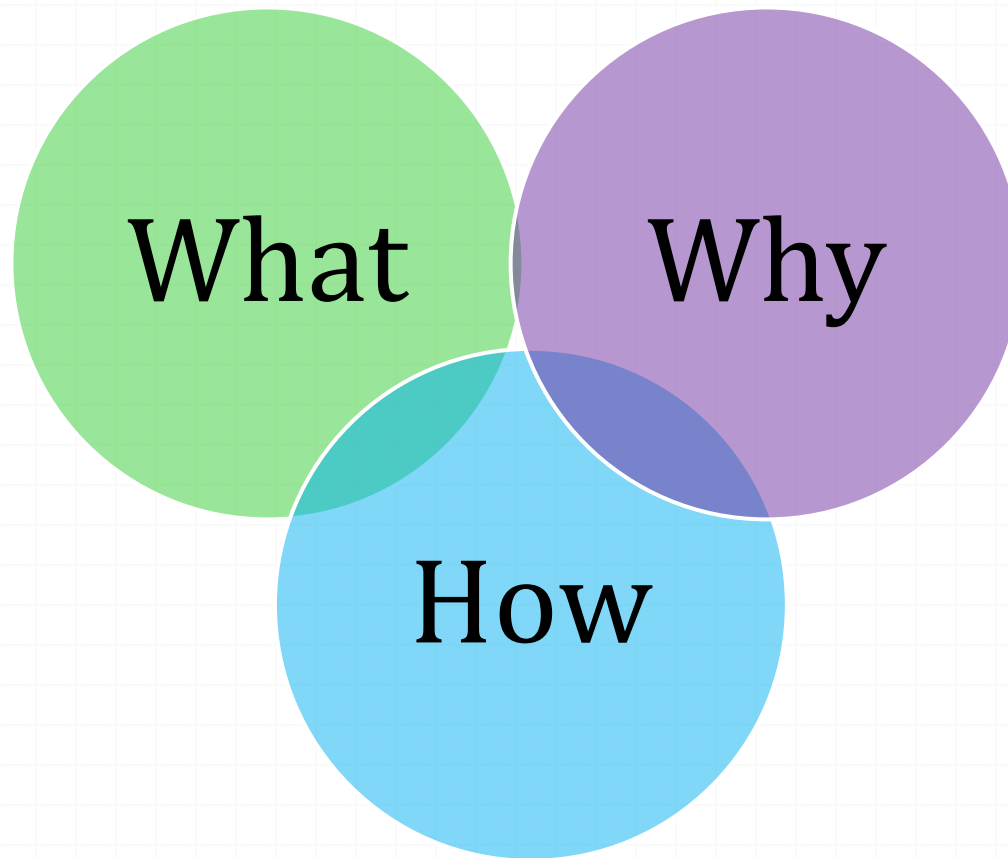
Food and Agriculture Organization of the United Nations

Domestic Regulations for Trade in Services

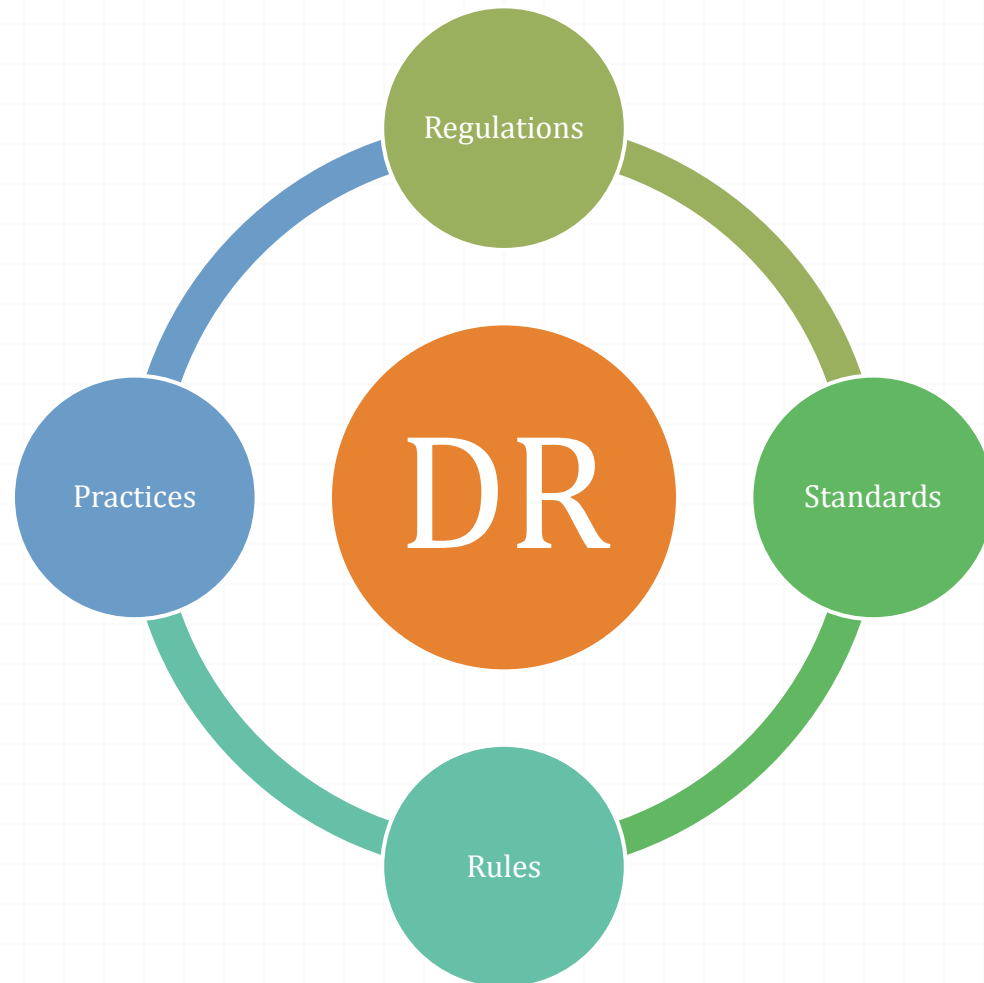
Ahmad Mukhtar

Economist

Domestic Regulations



WHAT is Domestic Regulations



WHY Domestic Regulations



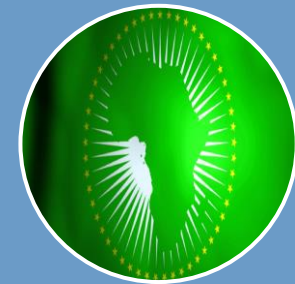
HOW.....Domestic Regulations



Regional



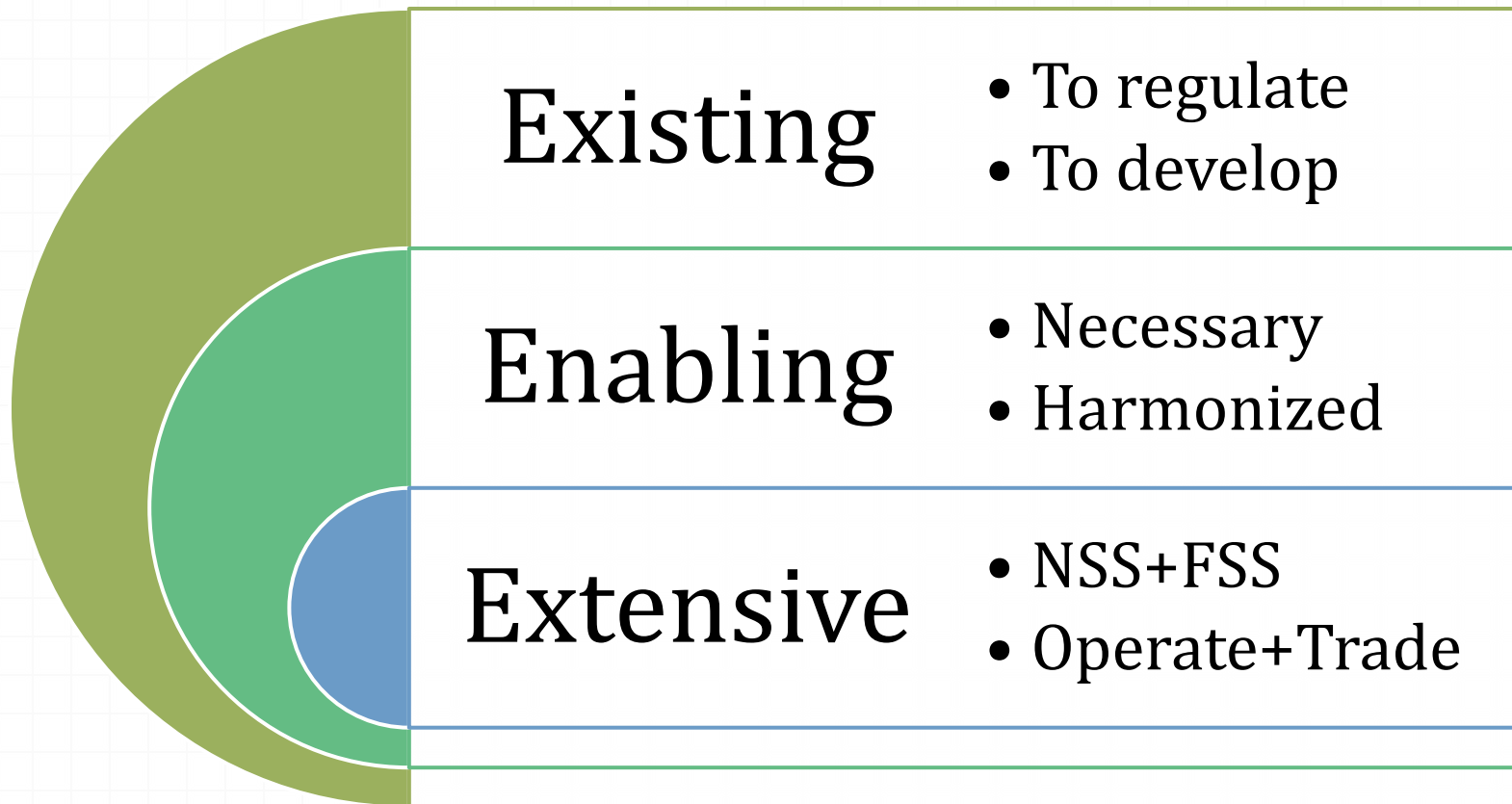
Harmonized



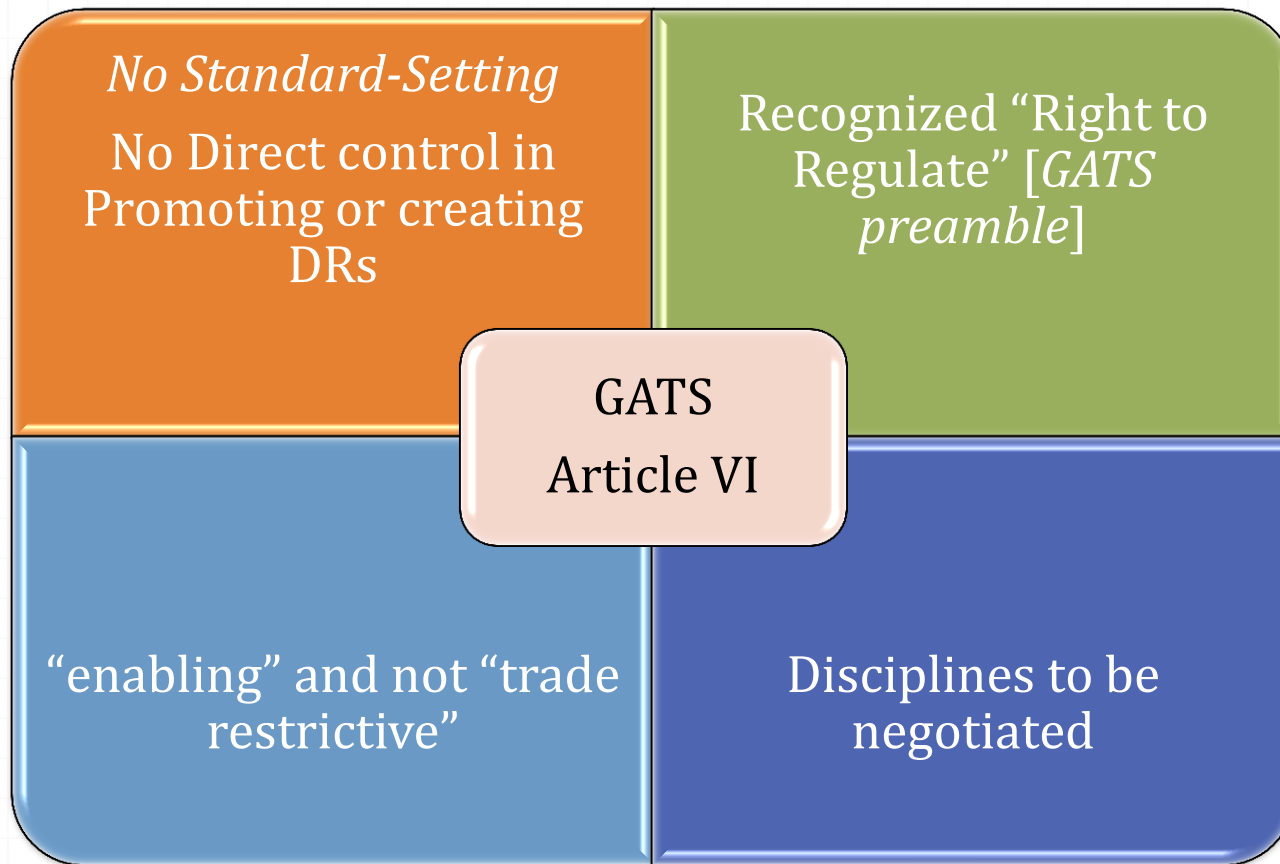
National



Prerequisites: **3 E's**



HOW: in the WTO



HOW: in the WTO

VI:1

- Committed Sectors
- Reasonable, objective and impartial

VI:2

- Procedures for the review of administrative decisions affecting trade in services to be in place

VI:3

- Decisions within reasonable time

VI: 6

- Procedures to verify competence in all sectors, with or without commitments

HOW: in the WTO

Article VI: 4 (negotiations)

Based on
objective
and
transparent
criteria

Not more
burdensome
than
necessary

Not in
themselves
a restriction
on supply
(licensing)

To ensure that measures relating to qualification requirements and procedures, technical standards and licensing requirements do not constitute unnecessary barriers to trade, the Services Council shall develop any necessary disciplines

HOW: in the WTO

Article VI: 5

International Standards of Relevant
International Organizations

Nullification of
Commitments

Licensing



Qualifications



Technical
Standards

HOW: in the WTO

Working Party on Domestic Regulations

Established 26 April 1999,
replacing WP on
Professional Services

Emphasis on generally
application disciplines for all
services sectors

Negotiating (as per of DDA
now)

Article VI: 4 disciplines

Transparency

Necessity Test

Equivalence and
international standards

HOW: in RTAs TISA

All specific
measures

Annex and
reference to
GATS Art.
VI:4

Single
Window
Enquiry
points

Reasonable
time and
procedures

Objective
and
Transparent
Criteria

Necessity
Test (?)

Licensing
Requirements /
Procedures

Qualifications
Requirements /
Procedures

Technical
Standards

HOW: in RTAs TTIP

Financial
Services

Professional
Services
Recognition

Transparency

Annex 1-Existing (with Ratchet)
Annex 2-Future (Without Ratchet)

Linked with
TISA

Public Services: Government supplied?

HOW: in RTAs ASEAN

Mutual Recognition

- Logistics and Transport
- Professional Services

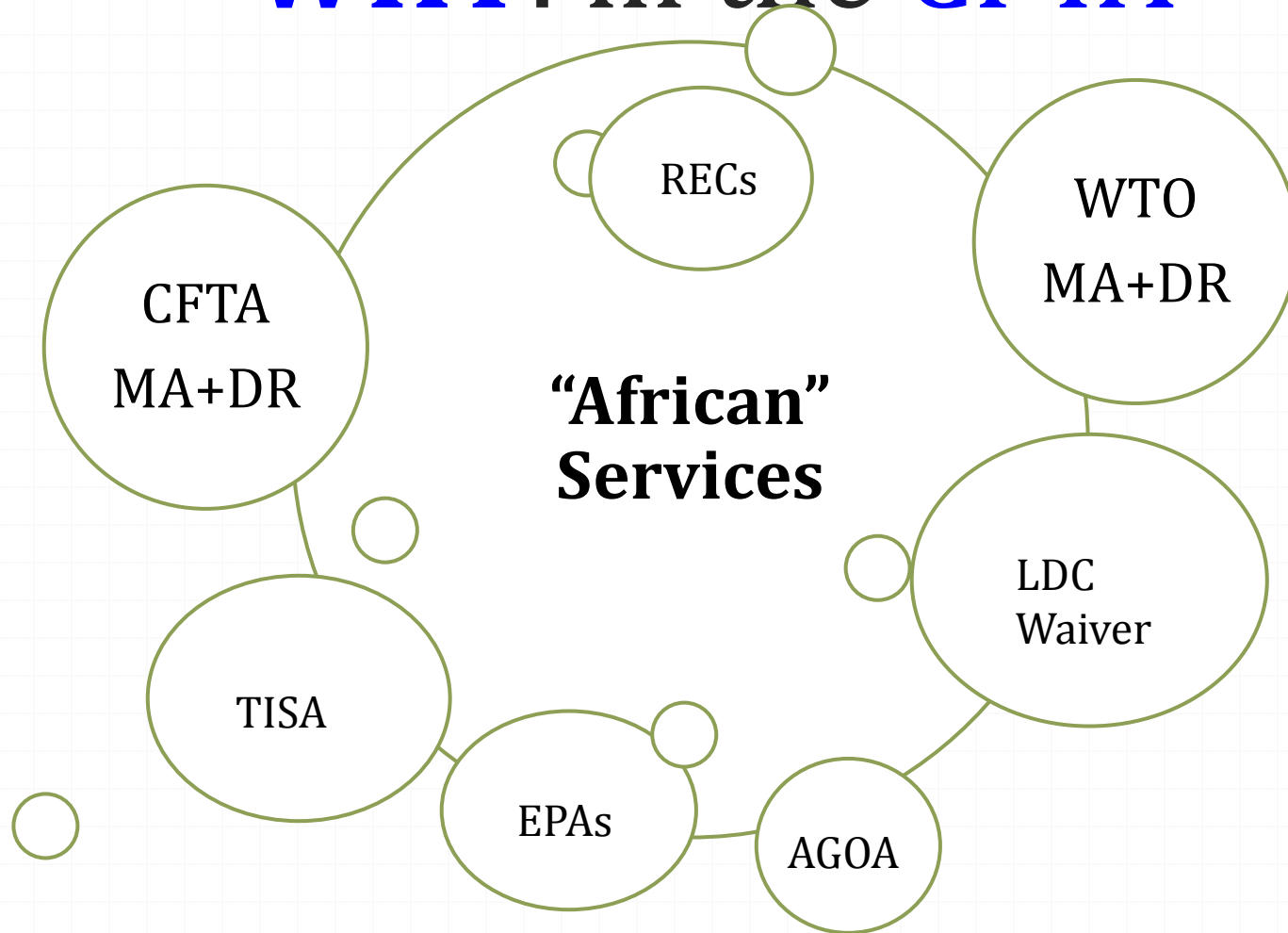
Gradual Harmonization

- National level regulations
- Regional benchmarking

Investment-Services Linkage

- Regulation/de-regulation
- Enabling regulatory framework

WHY: in the CFTA



HOW: in the CFTA

Mapping

- Regulatory Gap Assessment
- Normative framework for development of regulations

Framework

- To have a framework agreement for CFTA
- Relevant national regulatory structures

Adoption

- Incorporating in the CFTA outcome
- Implementation at Member States level

Harmonization

- Regional (African) standards and benchmarking
- Priority areas for mutual recognition

Questions-Comments



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