

Plurilateral Request for Maritime Transport Services

1. Overall Objectives for the Plurilateral Negotiations

Further to paragraphs 25 through 27 of the Hong Kong Ministerial Declaration, and in accordance with paragraphs 7 and 11 (b) of Annex C of the Hong Kong Ministerial Declaration, recalling that maritime transport is an important facilitator of world trade and a significant service making direct contributions to Members' economy and competitiveness for many developed and developing Members, the Mission of Japan is pleased to present the delegation of Philippines with a collective request in the Maritime Transport Services sector on behalf of the following interested Members: Australia, Canada, the European Communities and its Member States, Hong Kong China, Iceland, Japan, Republic of Korea, Mexico, New Zealand, Norway, Panama, Switzerland, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.

These interested Members would also like to refer to the Decision on Maritime Transport Services adopted by the Council for Trade in Services on 28 June 1996 (S/L/24) where it was agreed that negotiations will be resumed on the basis of existing or improved offers. The Members would further like to refer to the Joint Statement on the Negotiations on Maritime Transport Services issued on 3 March 2003 (TN/S/W/11) which more than 50 Members subscribed to, including a substantial number of developing Members. The Joint Statement called for active participation, meaningful liberalization and a broad coverage of this sector in the negotiations and in the WTO/GATS framework.

This request identifies specific objectives for liberalization in Maritime Transport Services, while recognizing the flexibilities provided for individual developing Members in accordance with Article XIX.2 of the GATS. The aforementioned interested Members are also deemed to be recipients of this request.

In accordance with paragraph 7 of Annex C of the Hong Kong Ministerial Declaration, this collective request is intended to complement, and not supersede, the bilateral request-offer negotiations and the specificity of bilateral requests.

The Mission of Japan has the further pleasure to invite Philippines to participate in a plurilateral discussion of this request, which will be organized in Geneva during the Services cluster taking place from 27 March to 7 April, 2006.

Please note that 24 other Members have received this collective request in the Maritime Transport Services sector.

The aforementioned interested Members reserve the right to modify the content of this request. Additional interested Members may also be identified in the future.

2. Requests

The Maritime Model Schedule remains an important tool for negotiations and represents the basis for making commitments on maritime transport services. The requested Members are urged to make new or improved commitments in accordance with the attached Maritime Model Schedule, with particular reference to the following points:

- (a) commitments on International Freight Transport (less cabotage) (CPC7212) Mode 1, Mode 2 and Mode 3 including but not limited to {as per Page 2 of the Maritime Model Schedule, Section under “Maritime Transport Services”}:
 - elimination of cargo reservation (Mode 1)
 - elimination of restrictions on foreign equity participation (Mode 3)
 - elimination of restrictions on the right to establish a commercial presence (MA, Mode 3)
 - elimination of nationality requirements of board members (Mode 3)
 - elimination of any other preferential treatment (NT)
- (b) commitments on Maritime Auxiliary Services (Mode 1, 2 & 3) including but not limited to {as per Pages 2-4 of the Maritime Model Schedule, Section under “Maritime Auxiliary Services” and as defined in the Note to the Maritime Model Schedule}
 - elimination of restrictions on foreign equity participation (Mode 3)
 - elimination of restrictions on the right to establish a commercial presence (Mode 3)
 - full commitments on consumption abroad and cross-border supply subject to technical feasibility (Mode 1 and 2)
- (c) additional commitments on the access to and use of port services {as per Page 1 of the Maritime Model Schedule under the Additional Commitments column}
- (d) additional commitments on the access to and use of services necessary for the conduct of multimodal transport operations {as per Page 5 of the Maritime Model Schedule under Note to the Schedule}
- (e) elimination of MFN exemptions

Any comments regarding this request, including written questions of a technical nature in advance of the plurilateral meeting, may be addressed to:

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