



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

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4 juin 2002

ACCORD DE MARRAKECH INSTITUANT
L'ORGANISATION MONDIALE DU COMMERCE
FAIT À MARRAKECH LE 15 AVRIL 1994

ACCORD GÉNÉRAL SUR LE COMMERCE DES SERVICES

**CERTIFICATION DE RECTIFICATIONS OU D'AMÉLIORATIONS
DES LISTES D'ENGAGEMENTS SPÉCIFIQUES**

ÉGYPTE

ENVOI DE COPIES CERTIFIÉES CONFORMES

J'ai l'honneur de vous faire parvenir ci-joint une copie certifiée conforme de la Certification des améliorations apportées à la Liste d'engagements spécifiques de l'Égypte. Les procédures concernant ces améliorations ont été achevées conformément aux dispositions énoncées dans les "Procédures pour la certification de rectifications ou d'améliorations des listes d'engagements spécifiques (document S/L/84). Les améliorations certifiées de la Liste d'engagements spécifiques de l'Égypte font partie intégrante de sa Liste d'engagements spécifiques à compter du 3 juin 2002.¹

Mike Moore
Directeur général

02-3244

WT/Let/421

¹ Pour plus de commodité le texte de ces améliorations a aussi été distribué sous la cote GATS/SC/30/Suppl.3.

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ÉGYPTE

ATTENDU que le Conseil du commerce des services a pris une Décision (document S/L/83) le 18 avril 2000 par laquelle il a adopté les Procédures pour la certification de rectifications ou d'améliorations des Listes d'engagements spécifiques (document S/L/84),

ATTENDU que, conformément aux dispositions des Procédures susmentionnées, un projet contenant les améliorations apportées à la Liste GATS/SC/30 (Égypte) a été communiqué aux Membres de l'Organisation mondiale du commerce dans le document S/C/W/207 du 19 avril 2002,

ATTENDU que les procédures pour les rectifications ou améliorations apportées à la Liste d'engagements spécifiques ont été achevées (S/L/103),

IL EST CERTIFIÉ par la présente que les améliorations ci-jointes apportées à la Liste d'engagements spécifiques de l'Égypte sont établies conformément aux Procédures susmentionnées et font partie intégrante de la Liste d'engagements spécifiques de l'Égypte à compter du 3 juin 2002.

La présente certification est déposée auprès du Directeur général de l'Organisation mondiale du commerce, qui en remettra, dans les moindres délais, une copie certifiée conforme à chaque Membre de l'Organisation mondiale du commerce. Elle sera enregistrée conformément aux dispositions de l'article 102 de la Charte des Nations Unies.

FAIT à Genève le quatre juin deux mille deux.

Mike Moore
Directeur général

Copie certifiée conforme:

Directeur général

EGYPT

General Agreement on Trade in Services

Schedule of Specific Commitments

Supplement 3

(This is authentic in English only)

- 1 -

This text is inserted as the telecommunications services section in document GATS/SC/30.

4 June 2002

EGYPT – SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
2.C. Telecommunications Services This schedule does not include telecommunication services supplied for distribution of radio or television programming for direct reception by service consumer.	(3) a) Licenses for the provision of all telecommunication services in Egypt are to be granted by the Telecommunications Regulatory Authority. A transparent and non-discriminatory Economic Needs Test shall be the main basis for granting licenses until 31/12/2005. ¹ b) Licenses are to be provided only to companies registered in Egypt. c) Telecom Egypt has exclusive rights to provide cross-border transmission into or out of Egypt using any means of technology for an exclusivity period that terminates no later than 31/12/2005. Licensees providing international data communication services have to lease international private lines from Telecom Egypt throughout the period of exclusivity. d) Companies working in the telecommunications sector must train local human resources.		The government of Egypt undertakes additional commitments as set out in the attached reference paper hereto. Egypt is currently in the process of presenting a new Telecommunications Act to the People's Assembly (Egyptian Parliament).

¹ Continuation of ENT beyond 31/12/2005 shall be subject to consultations between Egypt and WTO Members, taking into consideration progress of the CTS discussions on ENT.

Modes of supply: 1) Cross-border supply		2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
International and domestic services using any means of technology: 2.C.a Voice telephone services 2.C.d Telex services 2.C.e Telegraph services 2.C.f Facsimile services 2.C.g Private leased lines (International Only)	(1)	Unbound until 31/12/2005. After that date, none. ²	(1) None (2) None (3) None	
	(2)	None.		
	(3) a)	Telecom Egypt has an exclusivity for the provision of the services that terminates no later than 31/12/2005. After that date, none.		
	b)	Resale of services is allowed based on agreements with Telecom Egypt.		
	c)	Telecom Egypt is currently privatizing part of its shares through an initial public offering or sale to a strategic investor. Telecom Egypt may continue the privatization up to 49% of its shares in subsequent stages.		
	d)	Public payphones, none.		
	(4)	Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
International services using any means of technology: 2.C.b&c Data services 2.C.o Internet Services	(1)	Unbound until 31/12/2005. After that date, none. ²	(1) None	
	(2)	None	(2) None	
	(3)	None	(3) None	
	(4)	Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	

² A license is required.

Modes of supply: 1) Cross-border supply		2) Consumption abroad		3) Commercial Presence		4) Presence of natural persons	
Sector or Sub-sector		Limitations on Market Access		Limitations on National Treatment		Additional Commitments	
Domestic services using any means of technology:		(1)	Unbound until 31/12/2005. After that date, none. ²	(1)	None		
2.C.b&c	Data services	(2)	None	(2)	None		
2.C.g	Private leased lines	(3)	None	(3)	None		
2.C.o	Internet Services	(4)	Unbound, except as indicated in the horizontal section.	(4)	Unbound, except as indicated in the horizontal section.		
Other services:		(1)	Unbound until 31/12/2005. After that date, none. ²	(1)	None.		
2.C.o	Mobile services (Digital Only)	(2)	None	(2)	None.		
		(3)	Two private GSM900 operators have licenses to provide the services in Egypt with exclusive right until 30/11/2002. After that date, none.	(3)	None.		
		(4)	Unbound, except as indicated in the horizontal section.	(4)	Unbound, except as indicated in the horizontal section.		
Other services using any means of technology:							
2.c.o	Paging services	(1)	Unbound until 31/12/2005. After that date, none. ²	(1)	None.		
2.c.o	VSAT						
2.c.h.-n.	Value Added Services	(2)	None	(2)	None.		
		(3)	None	(3)	None.		
		(4)	Unbound, except as indicated in the horizontal section	(4)	Unbound, except as indicated in the horizontal section		

²A license is required

Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

- (a) are exclusively or predominantly provided by a single or limited number of suppliers; and
- (b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

- (a) control over essential facilities; or
- (b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

- (a) engaging in anti-competitive cross-subsidization;
- (b) using information obtained from competitors with anti-competitive results; and
- (c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided

- (a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
- (b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
- (c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that any supplier with a dominant position will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

- (a) at any time or
- (b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. **Universal service**

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive per se, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.
