

---

**Council for Trade in Services****COMPILATION OF QUESTIONS RAISED FOR  
THE REVIEW OF ARTICLE II (MFN) EXEMPTIONS****NOTE BY THE SECRETARIAT<sup>1</sup>**

1. This document has been prepared at the request of the Council for Trade in Services for the fifth review of MFN exemptions. As agreed at the CTS meeting held on 8 December 2022, and as indicated in the document outlining the procedural arrangements for the fifth review (JOB/SERV/CTS/7), this document compiles the questions submitted by Members on other Members' MFN exemptions.<sup>2</sup>

2. The review is to be conducted on a question-and-answer basis, along sectoral lines. Delegations having received questions are expected to circulate their answers in writing and submit them by May or June, in advance of the dedicated meeting, which is scheduled to be held on 12 June 2023.

---

<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members and to their rights and obligations under the WTO.

<sup>2</sup> The following Members have submitted questions for the fifth review of MFN exemptions: Australia; Hong Kong, China; Japan; Republic of Korea; and Switzerland. Introductory remarks from the Republic of Korea can be found in the Annex.

## Compilation of questions raised by Members

(The page numbers in the second column refer to the sectoral compilation JOB/SERV/29/Rev.2)

N°	QUESTION TO	QUESTION	QUESTION FROM
<b>General question</b>			
1.	All Members	For each of the MFN exemptions listed in the Secretariat's sectoral compilation (JOB/SERV/29/Rev.2), we would appreciate it if all Members maintaining any MFN exemptions would respond to the following general questions: Please indicate whether the exemption has been used for any actual measure since the previous review in 2016/17, and if so provide information on the use. If the exemption has not been used, please explain why the conditions which created the need for the exemption still prevail, and describe whether any action has been taken or is being contemplated to eliminate such exemption. Please explain why if not.	Hong Kong, China
<b>All sectors</b>			
2.	Afghanistan All entries (Page 2)	The exemptions appear to be covered by GATS exceptions and not MFN inconsistent. Would Afghanistan consider removing these exemptions? If not, please explain the rationale for maintaining such exemptions.  Why the exemptions are needed despite the exception provided by Article V of GATS?	Hong Kong, China
3.	Brunei Darussalam (Page 3)	Regarding the MFN exemption measures, "Preferences for entry and temporary stay of workers from traditional sources of supply.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
4.	Cyprus (Page 6)	Regarding the MFN exemption measure, "Permission for limited numbers of nationals of the European Union (EU) Member States to be employed or to exercise professions in specific occupations in Cyprus in accordance with criteria to be established unilaterally by Cyprus or in future agreements between Cyprus and the EU Member States", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
5.	Estonia (Page 9)	Regarding the MFN exemption measure, "The nationals of countries other than Estonia are given preferential treatment when granting permits for entry, stay, and work in Estonia to natural persons providing services (other than essential persons as defined in I Horizontal commitments in the Schedule of Specific Commitments of Estonia on trade in services) on the basis of reciprocity established by agreements between Estonia and these countries.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
6.	European Union (Page 11)	Regarding the MFN exemption measure, "For citizens of Commonwealth countries with a grandparent born in the UK, the UK waives the requirement for a work permit in all services sectors.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
7.	European Union (Page 11)	Regarding the MFN exemption measures, "Measures based on existing or future bilateral agreements between the European Communities and San Marino, Monaco, Andorra, Vatican City State and the countries and principalities concerned, providing for: b) waiving the requirement of work permits for natural persons supplying services", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
8.	European Union (Page 12)	Regarding the MFN exemption measures, "Measures based upon bilateral agreements between Italy and third countries guaranteeing work permits for seasonal workers", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
9.	European Union (Page 12)	Regarding the MFN exemption measures, "Measures based upon bilateral agreements between Community Member States and European and Mediterranean countries guaranteeing work permits, for the purposes of temporary contract work, on the basis of contracts between an employer of the third country concerned and a company in the Member State concerned, and which permit limited numbers of workers from the countries concerned to be employed in certain service sectors; the numbers are subject to variation according to criteria established in the agreement.", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market in the forms of employment contracts, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, not in the forms of services supplying contracts.	Republic of Korea
10.	Finland (Page 13)	This exemption was removed in the revised offer for the Doha round negotiation. In this regard, please advise whether the conditions which created the need for the exemption still prevail. For Sweden, the exemption appears to be stemmed from bilateral investment treaty which should already be covered by GATS Article V exception. Please explain the need for maintaining this exemption.	Hong Kong, China
11.	Guatemala (Page 14, 4th and 5th entries)	In the last review, Guatemala indicated that it had started an internal process of review to examine whether the relevant exemptions were still pertinent. In this regard, please provide an update of the internal review and advise whether the conditions which created the need for the exemptions still prevail.	Hong Kong, China
12.	Indonesia (Page 16)	Regarding the MFN exemption measure, "Low level occupations are reserved for Indonesian citizens. Based on Government Policy, limited exemptions may be granted to citizens of certain countries.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
13.	Jamaica (Page 16)	Regarding the MFN exemption measure, "The work permit requirement will be waived for citizens of the countries indicated in column 3.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement.	Republic of Korea
14.	Jordan (Page 17, Land use)	Please explain which countries are included in "Arab countries".	Japan
15.	Kazakhstan all entries (Page 18)	The exemptions appear to be covered by GATS exceptions and not MFN inconsistent. Would Kazakhstan consider removing these exemptions? If not, please explain the rationale for maintaining such exemptions.  Why the exemptions are needed despite the exception provided by Article V of GATS?	Hong Kong, China

N°	QUESTION TO	QUESTION	QUESTION FROM
16.	Lao PDR (Page 18)	The exemption appears to be covered by GATS exceptions and not MFN inconsistent. Would Lao PDR consider removing this exemption? If not, please explain the rationale for maintaining such exemption.  Why the exemption is needed despite the exception provided by Article V of GATS?	Hong Kong, China
17.	Liberia 3rd entry (Page 19)	The exemption appears to be covered by GATS exceptions and not MFN inconsistent. Would Liberia consider removing this exemption? If not, please explain the rationale for maintaining such exemption.  Why the exemption is needed despite the exception provided by Article V of GATS?	Hong Kong, China
18.	Liechtenstein (Page 19)	Regarding the MFN exemption measure, "To mutually grant permits of temporary stay and permanent residency in the territory of the parties, without certain limitations, to citizens of the parties of the agreements on temporary stay and permanent residency between Liechtenstein and Switzerland.", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
19.	Malaysia (Page 22)	Regarding the MFN exemption measure, "Liberalization of measures affecting movement of foreign semi-skilled and unskilled workers into Malaysia may be carried out in a differentiated manner based on reasons including proximity, either contiguous or regional, religious and/or cultural compatibility", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
20.	New Zealand (Page 24)	Regarding the MFN exemption measures applied to Kiribati, "More favourable entry conditions possible for up to 20 Nationals each year for employment purposes", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
21.	New Zealand (Page 24)	Regarding the MFN exemption measures applied to Tuvalu, "More favourable entry conditions possible for up to 80 Nationals at any one time for employment purposes", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
22.	Peru (Page 27)	Regarding the MFN exemption measure, "Nationals of a country that has a reciprocal labour agreement or an agreement on dual nationality or foreign personnel recruited under bilateral or multilateral agreements concluded by the Government of Peru are not subject to the limitations on recruitment of foreign workers, which establish a maximum period of three years and maximum percentage of 20 per cent of the total number of employees or 30 per cent of the total payroll.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
23.	Philippines (Page 27)	Regarding the MFN exemption measure, "A special visa category is provided for traders and investors of countries with which the Philippines has concluded treaties on entry rights for traders and investors. Under this special category, the labor market test is waived and simplified entry procedures are provided.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
24.	Russian Federation (Page 28)	The exemption appears to be covered by GATS exceptions and not MFN inconsistent. Would the Russian Federation consider removing this exemption? If not, please explain the rationale for maintaining such exemption.  Why the exemption is needed despite the exception provided by Article V of GATS?	Hong Kong, China
25.	Seychelles Commercial presence (Page 29)	The exemption appears to be covered by GATS exceptions and not MFN inconsistent. Would Seychelles consider removing this exemption? If not, please explain the rationale for maintaining such exemption. Why the exemption is needed despite the exception provided by Article V of GATS?	Hong Kong, China
26.	Singapore (Pages 30 to 31, all entries)	It is noted that Singapore will periodically review these exemptions in the light of international developments as indicated in the column of "intended duration". Would Singapore please provide information about the latest reviews for these exemptions, including the timing and the outcome of the reviews? For the second entry on page 30, is the concern already covered by GATS Article V exception?	Hong Kong, China
27.	Singapore (Page 30)	Regarding the MFN exemption measure, "Preference for workers from traditional sources of supply", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
28.	Solomon Islands (Page 31)	Regarding the MFN exemption measure, "Depending on the progress made within the Melanesian Spearhead Group, members of the Group may have recourse to waivers with respect to normal government approval and registration for foreign investors and measures affecting the entry and temporary stay of natural persons.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
29.	Sweden (Page 31)	This exemption was removed in the revised offer for the Doha round negotiation. In this regard, please advise whether the conditions which created the need for the exemption still prevail. For Sweden, the exemption appears to be stemmed from bilateral investment treaty which should already be covered by GATS Article V exception. Please explain the need for maintaining this exemption.	Hong Kong, China
30.	Switzerland (Page 32)	Regarding the MFN exemption measures, "To mutually grant permits of temporary stay and permanent residency in the territory of the parties, without certain limitations, to citizens of the parties of the agreements on temporary stay and permanent residency between Switzerland and the Principality of Liechtenstein.", please confirm if the exemption measures pertain to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
31.	Switzerland (Page 33)	In the last review, Switzerland indicated that such measure was no longer needed and considerably large in scope, and that Switzerland was ready to revise its exemption. Please provide an update in this regard.	Hong Kong, China
32.	Tajikistan all entries (Pages 34 and 35)	The exemptions appear to be covered by GATS exceptions and not MFN inconsistent. Would Tajikistan consider removing these exemptions? If not, please explain the rationale for maintaining such exemptions. Why the exemptions are needed despite the exception provided by Article V of GATS?	Hong Kong, China

N°	QUESTION TO	QUESTION	QUESTION FROM
33.	United Kingdom 1st entry (Page 38)	The exemption appears to be covered by GATS exceptions and not MFN inconsistent. Would the United Kingdom consider removing this exemption? If not, please explain the rationale for maintaining such exemption.  Work permit requirement alone should not constitute an MFN breach if it is simply an immigration measure, in accordance with the GATS Annex on Movement of Natural Persons Supplying Services. Please explain the need for maintaining this exemption.	Hong Kong, China
34.	United Kingdom (Page 38)	Regarding the MFN exemption measure, "For citizens of Commonwealth countries with a grandparent born in the UK, the UK waives the requirement for a work permit in all services sectors.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
35.	Vanuatu (Page 47)	Regarding the MFN exemption measure, "Citizens and permanent residents of Melanesian Spearhead Group Countries may be granted a waiver from the normal investment and right of temporary sojourn obligations of Vanuatu law.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
<b>Business services Professional Services</b>			
		Comment from Republic of Korea In this subsector, there are 22 MFN exemptions in total, among which 12 are MFN exemptions based on reciprocity, over 50 percent of the total MFN exemptions. This could give the impression that MFN exemptions based on reciprocity are a norm rather than an exception in this subsector. As Hong Kong, China pointed out at the second review back in November 2004, Korea is also concerned that the maintenance of an MFN exemption on the basis of reciprocity would preclude the negotiation of specific commitments in this particular subsector. This is all the more so coupled with the prevalence of nationality requirements in this subsector. Against this backdrop, Korea focuses on the issue of whether the reciprocity-based MFN exemptions are based on any international agreements.	Republic of Korea
36.	Brunei Darussalam (Page 47)	Do the conditions that created the need for the MFN exemptions still prevail? Could the Member please provide an update as to whether it is considering removal of the MFN exemption?	Australia
37.	Dominican Republic (Page 49)	Regarding the four reciprocity-based MFN exemptions under legal services, auditing and accounting services, dental, physiotherapy, medical, pharmaceutical and nursing services, architectural and engineering services, we wonder whether these exemptions are based on any international agreements.	Republic of Korea
38.	Honduras (Page 49)	Regarding the reciprocity-based MFN exemption, "Authorization for the exercise of professional activities is granted on the basis of reciprocity", we wonder whether this exemption is based on any international agreements.	Republic of Korea
39.	Jordan (Page 49)	Regarding the reciprocity-based MFN exemption under auditors and pharmacists, "Temporary access for non-Jordanian is allowed to duly qualified auditors and pharmacists whose countries grant reciprocal treatment to Jordanians.", we wonder whether this exemption is based on any international agreements.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
40.	Jordan (Page 50)	Regarding the reciprocity-based MFN exemption under geologists / geological engineers, "Temporary access for non-Jordanian geologists / geological engineers may be allowed by Cabinet permission, and only if Jordanians are granted reciprocal treatment.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
41.	Montenegro (Page 50)	Regarding the reciprocity-based MFN exemption under legal services, we wonder whether this exemption is based on any international agreements.	Republic of Korea
42.	North Macedonia (Page 51)	Regarding the reciprocity-based MFN exemption under legal services, "Apart from consultancy services, other legal services provided by advocates, i.e. attorneys who are members of the Montenegrin Bar Association and registered in the Association's Register may be provided subject to reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
43.	Panama (Page 51)	Regarding the reciprocity-based MFN exemption, "Authorization to exercise a profession is granted on the basis of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
44.	Singapore (Page 51)	Do the conditions that created the need for the MFN exemption still prevail? Could the Member please provide an update as to whether it is considering removal of the MFN exemptions?	Australia
45.	Türkiye (Page 51)	Regarding the MFN exemption measure, "If any foreign country lays down legal and administrative conditions against Turkish citizens for performing arts and supplying services, the similar activities of the citizens of that country could be prohibited in Turkey.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
46.	Türkiye (Page 52)	Regarding the reciprocity-based MFN exemption under accounting, auditing and book-keeping services, "In order to perform the services under the title of "financial advisor", the citizens of the countries which have officially codified the principles for the profession of financial advisory may be authorized, under reciprocal conditions, provided that these persons should have the characteristics required for the professional of financial advisory in Turkey and should have rights to perform similar services in their own countries.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
47.	Venezuela, Bolivarian Republic of (Page 52)	Regarding the MFN exemption measure, "Restricted to national enterprises, professional services governed by special laws, some of which specify as a condition for exercise of the profession that Venezuelan professionals should receive the same treatment in countries whose professionals wish to exercise in Venezuela (physicians, engineers, lawyers, architects, veterinary surgeons, pharmacists, economists).", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Business Services</b>			
<b>Other Business Services</b>			
48.	Canada (Page 53)	Regarding the MFN exemption measure under services incidental agriculture, "Temporary entry of agricultural workers from countries with which Canada has signed a memorandum of understanding is subject to an accelerated process for labour certification.", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
49.	Costa Rica (Page 54)	Regarding the reciprocity-based MFN exemption measure under advertising services, "Import of commercial shorts from outside Central America is subject to a tax of 100 per cent of value but the tax may not be less than 10,000 colones or more than 50,000 colones. Radio, cinema or television commercial shorts are deemed to be national if they are made in other Central American countries which grant reciprocity in this area.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
50.	European Union (Page 54)	Regarding the reciprocity-based MFN exemption measure under publishing, "Foreign participation in companies in Italy exceeding 49% of the capital and voting rights, subject to a condition of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
51.	Georgia (Page 54)	Regarding the reciprocity-based MFN exemption measure under fishing related services, "Access to Georgian waters for fish catches is granted on the basis of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
52.	Malaysia (Page 54)	Regarding the MFN exemption measure under advertising services, "20 per cent foreign content limitation for advertising is waived for these countries.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
53.	New Zealand (Page 54)	Regarding the MFN exemption measure under interpretation services, "More favourable entry conditions possible for nationals of countries listed in column (3) with requisite skills as interpreters for employment for up to two years in tourism-related industries", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
<b>Communication Services</b>			
<b>Postal Services</b>			
54.	Türkiye (Page 55)	Regarding the reciprocity-based MFN exemption measure, "To apply, on the basis of reciprocity, reduction in the prices of letter mail.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Communication Services</b>			
<b>Telecommunication Services</b>			
55.	Argentina (Page 56)	Please explain whether the condition for this exemption (development of domestic satellite systems) is still valid and whether Argentina conducted any review on the effectiveness of the reciprocity arrangement since the last review.	Japan
56.	Brazil (Page 57)	Brazil in the third review in 2010/11 indicated that it had been studying this exemption carefully in order to find a higher level of harmonization between the Brazilian and international regulatory frameworks. Please provide updates about this exemption, including a list of measures or international agreements implemented since the last review. Do the conditions which created the need for the exemptions still prevail?	Hong Kong, China
57.	Colombia (Page 57)	Please explain on what ground Colombia still believes the preferential treatment limited to Andean Group countries is still beneficial to its economy, and whether Colombia conducted any review to evaluate the benefit of it.	Japan
58.	India (Pages 57 to 58)	In the third review in 2010/2011, India acknowledged that policy reforms in the telecommunication sector was an ongoing process, and it was examining the possibility of relaxing the exemption in this sector. Please give an update of the review and advise whether the conditions which created the need for the exemptions still prevail.	Hong Kong, China
59.	Türkiye (Page 59)	Regarding the reciprocity-based MFN exemption measure under telecommunication services which is applied to Iran and Syria, "To apply, on the basis of reciprocity, reduction in the fees for the transit land connections and the usage of satellite ground stations.", we wonder whether this exemption is based on any bilateral or plurilateral agreements.	Republic of Korea



N°	QUESTION TO	QUESTION	QUESTION FROM
60.	United States of America (Page 60)	Regarding the column on "the conditions creating the need for the exemption", please clarify if "full market access and national treatment" refer to the committed regime or de facto regime? What do "certain markets" refer to? We note that this exemption was removed in the revised offer for the Doha round negotiations, does it mean that the conditions which created the need for the exemptions no longer prevail?	Hong Kong, China
<b>Communication Services Audiovisual Services</b>			
61.	Australia (Page 64)	Regarding the MFN exemption measures, "Measures taken to respond to any unreasonable measures imposed on Australian services or service suppliers by another Member", please elaborate on or specify 'any unreasonable measures'.	Republic of Korea
62.	Austria (Page 65)	Regarding the MFN exemption measure, "Preferential treatment of audiovisual works meeting European origin criteria regarding screen-time access", we wonder whether this exemption is based on any international agreements.	Republic of Korea
63.	Croatia (Page 72, 1st and 3rd entries) or the European Union	We note that the two exemptions mentioned apply to "Parties to the Council of Europe Convention on Transfrontier Television or other European countries with whom an agreement may be concluded" and "European countries" respectively. Please explain whether the conditions which created the need for such exemptions still prevail after Croatia has become EU member state since 2013. Please provide a list of countries who are not EU member states and to which these exemptions apply.	Hong Kong, China
64.	European Union (Page 78, 3rd entry)	Please explain which countries are included in "European countries".	Japan
65.	European Union (Page 78)	Regarding the MFN exemption measure under distribution of audiovisual works, "Redressive duties which may be imposed in order to respond to unfair pricing practices, by certain third countries distributors audiovisual works.", please elaborate on or specify 'unfair pricing practices'.	Republic of Korea
66.	European Union (Page 78)	Regarding the MFN exemption measures, "Measures taken to prevent, correct or counterbalance adverse, unfair or unreasonable conditions or actions affecting EC audiovisual services, products or service providers, in response to corresponding or comparable actions taken by other Members.", please elaborate on or specify 'adverse, unfair or unreasonable conditions or actions'.	Republic of Korea
67.	European Union (Page 79, 2nd entry)	Please explain which countries are included in "European countries".	Japan
68.	European Union (Page 80)	Regarding the reciprocity-based MFN exemption measure under television and radio broadcasting services, "Foreign participation in companies in Italy exceeding 49% of the capital and voting rights, subject to a condition of reciprocity.", we wonder if this exemption is based on any international agreements.	Republic of Korea
69.	Liechtenstein (Page 89)	Regarding the MFN exemption measures, "Concessions for the operation of radio or television broadcast stations may be granted to persons of countries other than Liechtenstein.", we wonder whether these exemptions are based on any international agreements.	Republic of Korea
70.	Poland (Page 97)	Regarding the MFN exemption measure under motion picture and video tape production and distribution services, "Preferential treatment of audiovisual works, including preferential access to funding", we wonder whether this exemption is based on any international agreements.	Republic of Korea
71.	Slovenia (Page 103)	Regarding the MFN exemption measure, "Preferential treatment of audiovisual works meeting European origin criteria regarding screen-time access.", we wonder whether this exemption is based on any international agreements.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
72.	Tajikistan (Page 105)	Regarding the MFN exemption measures, "Measures granting the benefit of support programs to audio-visual works, including television and radio programs, and suppliers of such works meeting certain origin criteria.", we wonder whether these exemptions are based on any international agreements.	Republic of Korea
73.	United Kingdom (Page 107, 1st entry)	Please advise whether this exemption has been used for actual measure. If so, please provide examples of the redressive duties imposed with the countries involved. If not, please explain why the conditions which created the need for the exemptions still prevail.	Hong Kong, China
74.	United Kingdom (Page 107)	Regarding the MFN exemption measures, "Redressive duties which may be imposed in order to respond to unfair pricing practices, by other WTO Members distributors of audiovisual works.", please elaborate on or specify 'unfair pricing practices'.	Republic of Korea
75.	United Kingdom (Page 108, 4th entry)	As regards the "countries to which the measures applies" column, please provide a list of countries whose cultural cooperation may be desirable. Is there any objective criteria in drawing up the above list?	Hong Kong, China
76.	United Kingdom (Page 108)	Regarding the MFN measures, "Measures taken to prevent, correct or counterbalance adverse, unfair or unreasonable conditions or actions affecting UK audiovisual services, products or service producers, in response to corresponding or comparable actions taken by other Members", please elaborate on or specify 'adverse, unfair or unreasonable conditions or actions'.	Republic of Korea
<b>Construction and Related Engineering Services</b>			
77.	Indonesia (Page 114)	In the last review, Indonesia indicated that the exemption fell under government procurement but it was not in a position or had any future plan to remove this exemption. As this exemption should not be MFN inconsistent due to GATS Article XIII exception, please explain why there is a need to be maintained.	Hong Kong, China
78.	Liechtenstein (Page 114)	Regarding the reciprocity-based MFN exemption measure, "The right of commercial presence and the right of presence of natural persons is dependent on reciprocity for service providers from Liechtenstein", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Distribution Services</b>			
79.	Liechtenstein (Page 114)	Regarding the MFN exemption measure, "To grant work permits, without certain limitations, to employees of establishment of enterprises of member countries of the Convention establishing the European Free Trade Association (EFTA), the establishment's activity being commerce in goods", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
80.	Switzerland (Page 115)	Regarding the MFN exemption measure, "To grant work permits, without certain limitations, to employees of establishment of enterprises of member countries of the Convention establishing the European Free Trade Association (EFTA), the establishment's activity being commerce in goods", please confirm if the exemption measure pertains to measures affecting natural persons seeking access to the employment market, which are carved out by paragraph 2 of Annex on Movement of Natural Persons Supplying Services under the Agreement, irrespective of the period of stay.	Republic of Korea
<b>Educational Services</b>			
81.	Russian Federation (Page 116)	Regarding the MFN exemption measures with respect to opening and activity of branches, we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
<b>Financial Services</b>			

N°	QUESTION TO	QUESTION	QUESTION FROM
82.	Austria (Page 116)	We note the growth and development of the Austrian financial services sector since the inscription of the MFN reservation in 1994. Could you indicate whether an economic needs test is still applied and if so, whether it is applied on a discriminatory basis (reciprocity) as outlined in the exemption?	Switzerland
83.	Austria (Page 116) or the European Union	As the list of countries to which the measure applies is subject to further consideration, would Austria or the European Union provide an updated list? As regards the column on "the conditions creating the need for the exemption", it is stated that countries not indicated in the above list are presumed not to offer competitive opportunities and effective market access to Austrian service suppliers, are there any objective criteria to determine the above list?	Hong Kong, China
84.	Austria (Page 116)	Regarding the reciprocity-based MFN exemption measure under licensing of branches or subsidiaries of foreign financial service suppliers, "The requirement of an economic interest test bound in the Austrian Schedules is waived for countries indicated in column 3)", we wonder whether this exemption is based on any international agreements.	Republic of Korea
85.	Brunei Darussalam (Pages 117 and 118)	Do the conditions that created the need for these MFN exemptions still prevail? Could the Member please provide an update as to whether it is considering removal of the MFN exemptions?	Australia
86.	Brunei Darussalam (Page 117)	Regarding the MFN exemption measure, "Treatment with respect to the granting of approval to establish offshore banks and merchant banks, to expand existing operations and conduct new activities in the financial services sector may be accorded to service suppliers of another member in a differentiated manner or on the basis of reciprocity and at the discretion of the relevant authority.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
87.	Brunei Darussalam (Page 117)	As inscribed, the MFN exemption states that in order to expand or conduct new activities in financial services reciprocity can be required, that access between services suppliers may be differentiated and that the relevant authorities exercise discretion in granting approvals. In practice has reciprocity been required to obtain authorisation to supply? Could you please indicate whether formal guidelines exist that are applied by the regulator in determining whether to approve new or expanded activities once reciprocity has been determined? Has the legal framework been updated and do the circumstances for this exemption still prevail?	Switzerland
88.	Canada (Page 118, 1st entry)	Please provide a list of those reciprocal arrangements and if they contain measures which go beyond licensing and qualifications requirements. In the third review in 2010/2011, Canada said that it would endeavour to provide a response on the above question upon the completion of the consultations with the regulator.	Hong Kong, China
89.	Canada (Page 118)	Regarding the reciprocity-based MFN exemption measure under insurance intermediation agency services, "Preferential access to the Ontario insurance services market is provided to non-resident individual US insurance agents.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
90.	Canada (Page 118)	Regarding the MFN exemption measure under financial services, including lending of all types and trading for own account of certain securities by loan and investment companies, "Preferential treatment in Quebec for allocation of licences is provided by the Province of Quebec to loan and investment companies incorporated under the laws of the Parliament of the United Kingdom and Ireland for purposes of obtaining a licence to carry on business.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
91.	Canada (Page 118)	For Québec an exemption is inscribed for certain companies incorporated in Great Britain and Northern Ireland, as well as in Ireland. Could you indicate what are the specific legal bases for this exemption? Which companies are covered according to your legislation? Are these rights "grandfathered" for companies with long-standing access or is the right "rolling" and available to companies newly incorporated in the United Kingdom or Ireland?	Switzerland

N°	QUESTION TO	QUESTION	QUESTION FROM
92.	Colombia (Page 119)	Regarding the MFN exemption measure, "Access to the Colombian market through the commercial presence of foreign suppliers of financial services depends on whether or not the country of origin of such suppliers grants satisfactory possibilities of access to their markets for Colombian suppliers of financial services", we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
93.	Côte d'Ivoire (Page 119)	Regarding the reciprocity-based MFN exemption measure under brokerage and agency services in the insurance sector, "Access to the Ivorian brokerage and agency services market for foreign natural persons depends on the possibilities of reciprocal access for Ivorian suppliers in the countries concerned.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
94.	European Union (Page 121)	This exemption was removed in the revised offer for the Doha round negotiation. In this regard, please advise whether the conditions which created the need for the exemption still prevail. It is noted that the exemption applies to Switzerland based on a bilateral agreement but Switzerland has not scheduled the same exemption, please advise whether it is still necessary to maintain this exemption.	Hong Kong, China
95.	Honduras (Page 122)	Regarding the reciprocity-based MFN exemption measure, "The opening of branches or agencies of foreign banks may be subject to reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
96.	Hungary (Page 122)	Regarding the reciprocity-based MFN exemption measure, "Commitments undertaken under mode (3) may be subject to reciprocity requirement.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
97.	Hungary (Page 122)	A reciprocity requirement is reserved for all financial services provided under mode 3. We note that, in practice, Hungary generally has open regulation for financial service suppliers. In the period since the last review, has Hungary applied a reciprocity requirement? Document GATS/EC/157 dated 7 May 2019 notes on page 118 that "Legislation permitting market access of branches is currently being prepared". What is the legal reference for this new legislation and does it foresee a reciprocity requirement for branches?	Switzerland
98.	Indonesia (Page 123)	Indonesia stated in the 2017 MFN Exemptions Review that the decree that necessitated its MFN exemption for banking services was suspended. Noting this, does the need for this MFN exemption still prevail?	Australia
99.	Indonesia (Page 123)	In the last review, Indonesia mentioned that the exemption has been suspended in the law and was no longer applied to Indonesia's banking sector. Would Indonesia consider removing this exemption? Please explain why if not.	Hong Kong, China
100.	Indonesia (Page 123)	Regarding the reciprocity-based MFN exemption measure under banking services, "Measures relating to a joint-venture bank of national and foreign origin under which entry of a foreign bank in Indonesia is allowed on a reciprocal basis (pursuant to Articles 14(3) of the Ministry of Finance Decrees No. 220/KMK.017/1993 dated 26 February 1993).", we wonder whether this exemption is based on any international agreements.	Republic of Korea
101.	Indonesia (Page 123)	Regarding the reciprocity-based MFN exemption measure under banking services, "With respect to joint-venture banks, licences can only be granted to foreign banks of countries which adopt reciprocal policies regarding Indonesian banks.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
102.	Israel (Page 123)	In the last review, Israel indicated that no foreign supplier as of the last review in 2017 had been denied a licence to supply financial services in Israel on the basis of reciprocity, as provided in this exemption. If so, please explain whether the conditions which created the need for the exemption still prevail and if Israel would consider removing this exemption.	Hong Kong, China

N°	QUESTION TO	QUESTION	QUESTION FROM
103.	Israel (Page 123)	Regarding the MFN exemption measure under banking, "A license may be granted to the establishment of foreign service supplier, to the country of origin of which grants Israeli suppliers access to its market in the form of similar commercial presence.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them and we also wonder whether this exemption is based on any international agreements.	Republic of Korea
104.	Israel (Page 123)	During the last review Israel indicated that "[n]o foreign supplier up to that moment had been denied a license to supply financial services in Israel on the basis of reciprocity, as provided in the specified MFN exemption." (S/C/M/131 para. 1.44) Has Israel applied the reciprocity requirement since the last review or can it again confirm that no foreign financial services supplier has been denied a license on the basis of reciprocity?	Switzerland
105.	Lichtenstein (Page 123)	Regarding the MFN exemption measure under insurance services, "To grant permit for establishment to insurance companies from countries other than Liechtenstein only to companies which are supervised by the Swiss insurance supervision authority", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
106.	Mauritius (Page 124)	Regarding the reciprocity-based MFN exemption measure, "Restriction on commercial presence and cross-border supply to suppliers of other countries on the basis of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
107.	Mauritius (Page 124)	Mauritius has inscribed an MFN exemption for financial services listed in the Annex on Financial Services that are not included in its schedule of specific commitments. The exemption covers cross-border supply and commercial presence. Reciprocity is aimed at enhancing access of Mauritian financial service suppliers to foreign financial markets. According to the Bank of Mauritius web-site some 19 banks are licensees. Are any financial institutions licensed to supply services not covered by Mauritius's specific commitments but listed in paragraph 5 of the Annex on Financial Services? If so, in granting these licenses have you enforced the reciprocity clause indicated in Mauritius's list of MFN exemptions? In light of its experience since 1998, has the reciprocity clause proved effective to improve access for Mauritian financial service suppliers to foreign markets and, in this connection, do the circumstances for the exemption still prevail?	Switzerland
108.	Pakistan (Page 124)	Regarding the reciprocity-based MFN exemption measure, "Foreign service promoters are granted licences on the basis of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
109.	Pakistan (Page 125)	Regarding the MFN exemption measure, "Favourable treatment of financial institutions set up to undertake Islamic financing transactions.", we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
110.	Pakistan (Page 125)	Regarding the MFN exemption measure, "Separate regulations may be laid down for banks which are required to undertake and finance treasury function and other non-profitable commodity operation programmes and other price support schemes of the Government, we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
111.	Peru (Page 126)	Regarding the reciprocity-based MFN exemption measure, "Peru reserves the right not to apply the most-favoured-nation clause to countries which do not apply it automatically and unconditionally to Peru, as provided for in Article II of the GATS.", we wonder whether this exemption is based on any international agreements.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
112.	Peru (Page 126)	Regarding the MFN exemption measure, "With respect to national treatment for foreign investment, exceptionally, for reasons of national or public interest, if a Member adopts protectionist or discriminatory measures, Peru reserves the right to do likewise.", we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
113.	Peru (Page 126)	Peru has inscribed two broad MFN exemptions for financial services. On the first, could you indicate whether Peru has denied a license to a financial services supplier owing to the fact that the country of its origin does not grant access to Peruvian financial services suppliers on an MFN basis?	Switzerland
114.	Philippines (Page 126)	Regarding the reciprocity-based MFN exemption measure under commercial banking, "Authorization for financial service suppliers of another Member to establish commercial presence or expand existing operations in commercial banking in the Philippines shall be subject to a reciprocity test.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
115.	Philippines (Page 126)	Regarding the reciprocity-based MFN exemption measure under commercial banking, "Authorization for financial service suppliers of another Member to establish commercial presence in commercial banking shall be subject to a reciprocity test.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
116.	Philippines (Page 127)	Regarding the MFN exemption measure under Investment Houses that in approving foreign equity applications in Investment Houses, the appropriate regulatory authority shall approve such applications only if the same or similar rights are enjoyed by Philippines nationals in the applicant's country, we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
117.	Singapore (Page 128)	This exemption was removed in the revised offer for the Doha round negotiation. In this regard, please advise whether the conditions which created the need for the exemption still prevail.	Hong Kong, China
118.	Slovak Republic (Page 129)	Please explain what kind of assessment has been taken to determine which countries are not offering equal market access possibilities to Slovak service providers and when will the new Act on Banks be adopted?	Japan
119.	Türkiye (Page 131)	Regarding the MFN exemption measure under banking, "Should national banks, wishing to operate by establishing branches in the countries whose banks have already established or will establish branches in Turkey, are forced to meet stricter conditions which they will be subject to under the legislation of those countries, or which are to be made stricter afterwards, than those imposed in the Turkish Banks Act, foreign banks' compliance with the same conditions and the annulment of the permissions of those failing to comply with such conditions may be required by Council of Ministers' decision.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
120.	United Arab Emirates (Page 131)	The UAE has inscribed a broad MFN exemption for financial services and would appear to decide whether to authorise additional service suppliers entirely on a discretionary basis. It indicates the reason for this measure is the saturation of the market. The market of the UAE has developed considerably since 1996. Could you indicate if the UAE has since developed laws or regulations that provide objective and non-discriminatory criteria as a basis for granting market entry? If so, does the UAE believe that the conditions requiring its MFN exemption still prevail?	Switzerland
121.	United States of America (Page 133)	Regarding the reciprocity-based MFN exemption measure under banking and other financial services (excluding insurance), "Permission to establish state-licensed branches, agencies, or representative offices, or to own commercial bank subsidiaries, is based on a reciprocity test in the following States: California (applies also to savings and loan associations), Connecticut (applies also to credit unions), Georgia, Illinois, Kentucky.", we wonder whether this exemption is based on any international agreements.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
122.	United States of America (Page 133)	Regarding the reciprocity-based MFN exemption measure under banking and other financial services (excluding insurance), "Louisiana, Massachusetts, Michigan, North Carolina, Pennsylvania, Washington. Among the conditions on which agency or agency and representative office licenses may be granted for the following States is that the foreign bank is one of the five largest banks in the home country: Florida, Oklahoma. Permission for a foreign-owned bank or trust company to act as fiduciary, and to use satellite banking terminals, is based on a reciprocity test in Iowa. Iowa also subjects the activities of foreign-owned savings and loan associations to a reciprocity test.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
123.	United States of America (Page 134)	Regarding the reciprocity-based MFN exemption measure under banking and other financial services (excluding insurance), "Authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
124.	United States of America (Page 134)	Regarding the reciprocity-based MFN exemption measure under banking and other financial services (excluding insurance), "Designation as a primary dealer in US Government debt securities is conditioned on reciprocity, we wonder whether this exemption is based on any international agreements.	Republic of Korea
125.	Venezuela, Bolivarian Republic of (Page 134)	Regarding the MFN exemption measure under banking and insurance, "Authorizations for access of foreign capital to the domestic market through the participation of existing institutions, the opening of branches or the establishment of new suppliers of financial services may be subject to reciprocity, where the National Executive deems appropriate.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Recreational, Cultural and Sporting Services</b>			
126.	European Union (Page 136)	Regarding the reciprocity-based MFN exemption measure under news agency services, "Foreign participation in companies in France publishing publications in the French language exceeding 20% of the capital or of voting rights in the company, subject to a condition of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
127.	European Union (Page 136)	Regarding the reciprocity-based MFN exemption measure under press agency services, "Market access in France. Subject to a condition of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
128.	India (Page 137)	In the last review, India indicated that the waiver on the prohibition of the sale of lottery tickets by Bhutan had been listed as part of a comprehensive bilateral agreement between India and Bhutan. Please explain why this exemption is necessary despite the exception provided by GATS Article V.	Hong Kong, China
129.	Jordan (Page 137)	Regarding the reciprocity-based MFN exemption measure under news agency services: press services, "Foreign news agencies may be allowed to publish newsletter by Cabinet permission, and only if Jordanian news agencies are granted reciprocal treatment.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Transport Services</b>			
<b>Maritime Transport Services</b>			
130.	Brazil (Page 140)	Please provide the latest list of countries that Brazil has cargo sharing agreements with	Japan
131.	Bulgaria (Page 140, all entries) or the European Union:	In response to the question on the preferential treatment and the list of countries that Bulgaria has cargo sharing agreements with, the European Union in the last review replied that the termination of the exemptions in question should be evaluated during the market access negotiations. Would Bulgaria or the European Union elaborate more on the details of the preferential treatment and the list of countries to which these exemptions apply? Do the conditions creating the need for the exemption still prevail?	Hong Kong, China



N°	QUESTION TO	QUESTION	QUESTION FROM
132.	Bulgaria (Page 140)	According to the United Nations Treaty Collection website (UNTC) it would appear that Bulgaria denounced UN Convention on a Code of Conduct on Liner Conference in 2008 with effect on 22 December 2009. Could you provide an update on the status of Bulgaria's relation to this treaty and the consequence, if any, for this MFN exemption?	Switzerland
133.	Cameroon (Page 141)	Regarding the MFN exemption measures, "Existing or future laws, decrees, orders and decisions with the need to promote infant industry.", we wonder whether there are any other measures which are in conformity with GATS.	Republic of Korea
134.	Chile (Page 142)	Regarding the reciprocity-based MFN exemption measures under international maritime freight transportation, "Reciprocal measures concerning access to freight by Chilean vessels", we wonder whether this exemption is based on any international agreements.	Republic of Korea
135.	Côte d'Ivoire (Page 146)	Regarding the MFN exemption measures, "Existing or future laws, decrees, orders and decisions with the need to promote infant industry.", we wonder whether there are any other measures which are in conformity with GATS.	Republic of Korea
136.	European Union (Page 146)	Regarding the reciprocity-based MFN exemption measures under rental/leasing services without operators, relating to ships and rental of vessels with crew, "Chartering in of foreign ships by consumers resident in Germany may be subject to condition of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
137.	Gabon (Page 147)	Regarding the MFN exemption measures, "Existing or future laws, decrees, orders and decisions with the need to promote infant industry.", we wonder whether there are any other measures which are in conformity with GATS.	Republic of Korea
138.	India (Page 148, 1st entry)	In the last review, India indicated that it did not have cargo-sharing agreements with any country. Is there any update since the last review? If not, does it mean that the conditions which created the need for such exemption is no longer prevail.	Hong Kong, China
139.	India (Page 148)	India has inscribed an exemption for bilateral shipping with a few trading partners. Could you indicate the specific legal bases for these bilateral shipping arrangements? Have the equality targets in terms of liftings and revenues been reached? In this connection, is this exemption still required in order to fulfill the underlying policy objectives?	Switzerland
140.	Kazakhstan (Page 148, 1st entry)	For the sake of clarity, please provide information on the preferential measures under the special regime of shipping in the Caspian sea.	Hong Kong, China
141.	New Zealand (Page 150)	Regarding the MFN exemption measures, "The supply of services by officers on New Zealand ships is limited to citizens with requisite qualifications, from either New Zealand or the countries listed in column (3).", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
142.	Philippines (Page 151, 2nd entry)	In the last review, Philippines indicated that limited access to domestic shipping could be granted to countries with which it had no bilateral agreements. Please provide a list of the above countries and more information about the criteria for granting such limited access to these countries.	Hong Kong, China
143.	Russian Federation (Page 152, 3rd entry)	For the sake of clarity, please provide information on the preferential measures under the special regime of shipping in the Caspian sea.	Hong Kong, China



N°	QUESTION TO	QUESTION	QUESTION FROM
144.	Singapore (Page 155)	In the last review, Singapore indicated that it had continued to maintain bilateral shipping agreements with the Republic of Korea, China, Vietnam, India, Myanmar and Germany. Could Singapore provide an update of any new bilateral shipping agreements since the last review? On the column of "the intended duration" which is currently listed as indefinite, we note that Singapore has indicated to review periodically in light of international developments. Would Singapore please update if any review has been conducted and if so, the outcome of the review?	Hong Kong, China
145.	Thailand (Page 156)	Given the discussions in the past reviews, does Thailand have any plan to remove this exemption? If not, please explain the reason behind it.	Japan
146.	Tunisia (Page 157)	Regarding the MFN exemption measures, "1) Right to control and take all necessary and appropriate measures with respect to foreign maritime transporters whose countries affect Tunisian maritime transport and shippers with the need to prevent, offset and counter all discriminatory measures and restrictive and harmful actions affecting Tunisian maritime transporters and maritime trade", please elaborate on or specify 'all discriminatory measures and restrictive and harmful actions' in the fourth column of conditions creating the need for the exemptions.	Republic of Korea
147.	Türkiye (Page 161)	Regarding the reciprocity-based MFN exemption measures under transportation services, "To apply, on the basis of reciprocity, restrictions, prohibitions, different treatments and different tariffs to the goods and transportation vehicles of the countries which apply restrictions, prohibitions and different treatments to the Turkish road, air and maritime transportation vehicles.", we wonder whether these exemptions are based on any international agreements.	Republic of Korea
148.	Viet Nam (Page 162)	The first exemption relates to "Measures based upon agreements covering the normal business operations of fully owned subsidiaries of foreign shipping companies" and has an intended duration of five years. Could you confirm whether this exemption is still applied? If it is applied, could you specify what bilateral agreements are still in force and give examples the types of measures applied? Is there any relation between this exemption and the measures outlined in tables 9, 22(a) and 22(b) of document ACC/VNM/48? Do the conditions requiring this exemption still prevail?	Switzerland
<b>Transport Services</b>			
<b>Air Transport Services</b>			
149.	Thailand (Page 178)	Regarding the reciprocity-based MFN exemption measures under aircraft repair and maintenance services, "Thailand will grant permission to airlines of those countries which treat Thai carriers on reciprocal basis.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
<b>Transport Services</b>			
<b>Road Transport Services</b>			
150.	Austria (Page 187)	Regarding the reciprocity-based MFN exemption measure, "Exemption from vehicles tax under certain conditions on the grounds of de facto reciprocity limited to vehicles registered in the countries indicated in column 3).", we wonder whether this exemption is based on any international agreements and also whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea
151.	Costa Rica (Page 189)	Regarding the reciprocity-based MFN exemption measure under land transportation services – passenger transportation, "Granting of permits for international passenger transportation services against payment is based on the principle of reciprocity.", we wonder whether this exemption is based on any international agreements.	Republic of Korea
152.	European Union (Page 192)	Regarding the MFN exemption measure under road transport services - freight, "Authorization for the establishment of a commercial presence in Spain may be refused to service suppliers, whose country of origin does not accord effective market access to Spanish service suppliers.", we wonder whether the conditions which created the need for this exemption still prevail and if so, please specify them.	Republic of Korea

N°	QUESTION TO	QUESTION	QUESTION FROM
153.	Honduras (Page 193)	Regarding the reciprocity-based MFN exemption measure under land transport services, "The Government of Honduras has discretion to issue licences and authorizations on the basis of reciprocity", we wonder whether this exemption is based on any international agreements.	Republic of Korea
154.	United States of America (Page 208)	Regarding the reciprocity-based MFN exemption measure, "The US government has discretion to limit the issuance of trucking licenses to persons from contiguous countries on the basis of reciprocity. The Bus Regulatory Reform Act of 1982 permits the President to remove or modify in whole or in part the moratorium on a finding that such removal or modification is in the national interest. Domestic and cross border trucking operations are permitted within designated Interstate Commerce Commission commercial zones. The moratorium was lifted for Canada in October 1982", we wonder whether this exemption is based on any international agreements.	Republic of Korea

## **ANNEX**

### **INTRODUCTORY REMARKS FROM THE REPUBLIC OF KOREA**

As in the past reviews on MFN exemption measures, Korea attaches greatest importance to this exercise, since MFN principle is the cornerstone of WTO system and thus its exemptions should be kept to minimum in order to maintain and strengthen the application of the GATS principles. This fifth review, if constructively carried out, will contribute to the clarification and understanding of the existing MFN exemption measures by the Members, and will facilitate the services negotiation under the DDA for further liberalization.

After the first review in 2000, Hong Kong, China; Japan and Korea submitted a proposal (S/C/W173) for further discussion on the MFN exemptions. Based on that proposal, Korea raised questions on those exemption measures which it viewed as not adequately addressed or needed further clarification, in our view. At this review, Korea has prepared questions regarding those measures, among others, specifically which should not necessarily have been included on the list of MFN exemptions. Korea is of the view that acknowledging there were existing international agreements at its inception, GATS allows its exceptions in order to prevent any potential conflicts. In this regard, Korea would also like to confirm whether those exemption measures are based on any international agreements. Korea would appreciate it if Members would provide their responses in advance, if possible, or orally during the review.

The questions are based on the MFN exemptions listed in the Secretariat's Sectoral Compilation (JOB/SERV/29/Rev.2). However, they are not exhaustive and thus Korea may raise further questions, orally and in writing, prior to and during the review session.

---