

27 March 2023

(23-2176)

Page: 1/19

**Working Party on the Accession
of the Union of the Comoros**

Original: French

ACCESSION OF THE UNION OF THE COMOROS**DRAFT SCHEDULE OF SPECIFIC COMMITMENTS ON TRADE IN SERVICES****DRAFT LIST OF ARTICLE II MFN EXEMPTIONS**

The Schedule of Specific Commitments on Trade in Services resulting from the negotiations between the Union of the Comoros and WTO Members will be annexed to the Protocol of Accession of the Union of the Comoros. The draft Schedule is reproduced hereunder for examination and technical verification by Signatory Members.¹

Proposals for technical corrections, if any, should be sent to Ms Zsofia Tvarusko (zsofia.tvarusko@wto.org), Mr Dimitar Bratanov (dimitar.bratanov@wto.org) and Ms Souda Tandara-Stenier (souda.tandara-stenier@wto.org) by Tuesday, 11 April 2023, at the latest.

In accordance with WTO accession practice, a WTO Secretariat-chaired technical verification meeting on the Comoros' draft Schedule of Specific Commitments on Services will be convened at a later date with Signatory Members, if necessary.

¹ Canada, European Union, India, Japan, United States.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		(1) (2) (3) and (4): Eligibility for subsidies may be limited to Comorian services and service suppliers, i.e. to natural or legal persons resident or established in Comorian territory.	
		(3) None, except: (i) land ownership: WTO Member businesses might be limited to the right to lease only, but not to own land in the Comoros; (ii) WTO Member businesses may be required to train and upgrade the technical and management skills of local employees, subject to the specific provisions of other agreements signed by the Comorian authorities.	
Acquired rights	The conditions of ownership, management, operation, juridical form and scope of activities as set out in a licence or other form of approval establishing or authorizing the operation or supply of services by an existing foreign service supplier will not be made more restrictive than those in existence as of the date of the Union of the Comoros' accession to the WTO.	The conditions of ownership, management, operation, juridical form and scope of activities as set out in a licence or other form of approval establishing or authorizing the operation or supply of services by an existing foreign service supplier will not be made more restrictive than those in existence as of the date of the Union of the Comoros' accession to the WTO.	
	(4) Unbound, except for the measures concerning temporary entry of the following natural persons: (a) <u>Business visitors</u> Persons not based in the Union of the Comoros and receiving no remuneration from a source located within the Comoros, who are representatives of a business carrying on activities in a WTO Member and are seeking temporary entry into the Comoros for the purpose of negotiating for the sale of the services of that business, entering into agreements to sell services for that business, participating in business meetings or preparing for the establishment of a commercial presence.	(4) Unbound, except for the measures concerning temporary entry of the following natural persons as specified in the MA column: (a) <u>Business visitors</u> Persons not based in the Union of the Comoros and receiving no remuneration from a source located within the Comoros, who are representatives of a business carrying on activities in a WTO Member and are seeking temporary entry into the Comoros for the purpose of negotiating for the sale of the services of that business, entering into agreements to sell services for that business, participating in business meetings or preparing for the establishment of a commercial presence. Such representatives are not engaged in making direct sales to the general public.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	Such representatives are not engaged in making direct sales to the general public. Entry for business visitors is limited to 90 days in any 12 months.	Entry for business visitors is limited to 90 days in any 12 months.	
	<p>(b) <u>Intra-corporate transferees</u></p> <p>People who have been employed by their organization for a period of not less than one year and who seek temporary entry in order to render services on behalf of that employer or a branch or a subsidiary or affiliates of that employer, more specifically, who are one of the following:</p> <p>(i) <u>Managers</u></p> <p>Persons within an organization who primarily direct the organization, or a department or sub-division of the organization, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring and firing, or other personnel actions (such as promotion or leave authorization), and exercise discretionary authority over day-to-day operations. This category does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p> <p>(ii) <u>Executives</u></p> <p>Persons within an organization who primarily direct the management of the organization, establish the goals and policies of the organization or a major component or function of the organization, exercise wide latitude in decision-making, and receive only general</p>	<p>(b) <u>Intra-corporate transferees</u></p> <p>People who have been employed by their organization for a period of not less than one year and who seek temporary entry in order to render services on behalf of that employer or a branch or a subsidiary or affiliates of that employer, more specifically, who are one of the following:</p> <p>(i) <u>Managers</u></p> <p>Persons within an organization who primarily direct the organization, or a department or sub-division of the organization, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring and firing, or other personnel actions (such as promotion or leave authorization), and exercise discretionary authority over day-to-day operations. This category does not include first-line supervisors, unless the employees supervised are professionals, nor does it include employees who primarily perform tasks necessary for the provision of the service.</p> <p>(ii) <u>Executives</u></p> <p>Persons within an organization who primarily direct the management of the organization, establish the goals and policies of the organization or a major component or function of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or stockholders</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	supervision or direction from higher-level executives, the board of directors, or stockholders of the business. Executives do not directly perform tasks related to the actual provision of a service or services of the organization.	of the business. Executives do not directly perform tasks related to the actual provision of a service or services of the organization.	
	<p>(iii) <u>Specialists</u></p> <p>Persons within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research, techniques, or management. Specialists may include, but are not limited to, members of licensed professions.</p> <p>Entry for ICTs is limited to one year, renewable annually.</p> <p>(c) <u>Contractual service suppliers</u></p> <p>Persons who are employed by an enterprise engaged in substantive business in the Union of the Comoros without having a commercial presence in the Comoros and who provide a service as professionals of a service sector pursuant to a contract between the enterprise and a client in the Comoros and who have been employed by this enterprise for a period of not less than one year prior to their entry into the Comoros.</p> <p>Entry for CSSs is limited to one year, renewable annually.</p>	<p>(iii) <u>Specialists</u></p> <p>Persons within an organization who possess knowledge at an advanced level of continued expertise and who possess proprietary knowledge of the organization's services, research, techniques, or management. Specialists may include, but are not limited to, members of licensed professions.</p> <p>Entry for ICTs is limited to one year, renewable annually.</p> <p>(c) <u>Contractual service suppliers</u></p> <p>Persons who are employed by an enterprise engaged in substantive business in the Union of the Comoros without having a commercial presence in the Comoros and who provide a service as professionals of a service sector pursuant to a contract between the enterprise and a client in the Comoros and who have been employed by this enterprise for a period of not less than one year prior to their entry into the Comoros.</p> <p>Entry for CSSs is limited to one year, renewable annually.</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES			
A. Professional services			
(a) Legal services (CPC 861), except for the practice of Comorian law; (b) Accounting, auditing and bookkeeping services (CPC 862); (c) Taxation services (CPC 863); (d) Architectural services (CPC 8671); (e) Engineering services (CPC 8672); (f) Integrated engineering services (CPC 8673); (g) Urban planning and landscape architectural services (CPC 8674); (i) Veterinary services (CPC 932);	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	
(h) Medical and dental services (CPC 9312); (j) Services provided by midwives, nurses, physiotherapists and paramedical personnel (CPC 93191).	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. ² (4) [Unbound, except as indicated in the horizontal section.]	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. ³ (4) [Unbound, except as indicated in the horizontal section.]	

² Recognition is granted by the Comorian Ministry responsible for health.

³ Idem.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. COMPUTER AND RELATED SERVICES			
(a) Consultancy services related to the installation of computer hardware (CPC 841);	(1) None. (2) None. (3) None.	(1) None. (2) None. (3) None.	
(b) Software implementation services (CPC 842);	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(c) Data processing services (CPC 843);			
(d) Database services (CPC 844);			
(e) Other services (CPC 845+849).			
C. RESEARCH AND DEVELOPMENT SERVICES			
(a) R&D services on natural sciences (CPC 851);	(1) None. (2) None.	(1) None. (2) None.	
(b) R&D services on social sciences and humanities (CPC 852);	(3) None.	(3) None.	
(c) Interdisciplinary R&D services (CPC 853).	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
D. OTHER BUSINESS SERVICES			
(a) Advertising services (CPC 871), excluding advertising for alcohol and cigarettes;	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
(b) Market research services (CPC 864, excluding subheading CPC 86402 - public opinion polling services);	(1) None. (2) None. (3) None, except that suppliers of such services must operate in partnership with domestic suppliers.	(1) None. (2) None. (3) None, except as indicated in the horizontal section.	
(c) Management consulting services (CPC 865);	(4) Unbound, except as indicated in the horizontal section.	(4) Unbound, except as indicated in the horizontal section.	
(d) Technical testing and analysis services (CPC 8676);	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(e) Services incidental to agriculture, hunting and forestry (CPC 881);	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
(f) Services incidental to mining (excluding gas and petroleum) (CPC 883);	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
(h) Services incidental to manufacturing (CPC 884 and CPC 885).	(1) Unbound. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
2. COMMUNICATION SERVICES			
A. and B. Postal and Courier Services (including express delivery services) (CPC 7511 et CPC 7512)			
<p>Services relating to the handling of items in accordance with the following list of subsectors, whether for domestic or foreign destinations. The subsectors below are excluded when they fall within the scope of services that are reserved for the Comoros Post Office, i.e. simple letters weighing less than 500 grams, postcards. Services not elsewhere specified</p> <p>(i) Handling of addressed written communication on any kind of physical medium, including:</p> <ul style="list-style-type: none"> - hybrid mail service - direct mail <p>(ii) Handling of addressed parcels and packages</p> <p>(iii) Handling of addressed press products</p> <p>(iv) Handling of items referred to in (i) to (iii) above as registered or insured mail</p> <p>(v) Express delivery services for items referred to in (i) to (iii) above</p> <p>(vi) Handling of non-addressed items</p> <p>(vii) Document exchange</p>	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	The same treatment will be applied to the Comoros Post Office and to private operators for express delivery services.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(viii) Other services not elsewhere specified			
C. TELECOMMUNICATIONS SERVICES The commitments in this sector have been included in the Schedule in accordance with the "Notes for Scheduling Basic Telecom Services Commitments" (S/GBT/W/2/Rev.1) and "Market Access Limitations on Spectrum Availability" (S/GBT/W/3).			
Basic telecommunications services			
(a) Voice telephone services, including local, long distance and international (CPC 7521); (b) Packet-switched data transmission services (CPC 7523**); (c) Circuit-switched data transmission services (CPC 7523**); (d) Telex services (CPC 7523**); (e) Telegraph services (CPC 7522); (f) Facsimile services (CPC 7521** + 7529**); (g) Private leased circuit services (CPC 7522** + 7523**); - Paging services (CPC 75291); - Teleconferencing services;	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None, except as indicated in the horizontal section. (4) Unbound, except as indicated in the horizontal section.	As regards the provision of basic telecommunication services, the Union of the Comoros undertakes the obligations in the attached Reference Paper.
Value-added services			
(h) Electronic mail (CPC 7523**); (i) Voice mail (CPC 7523**); (j) Online information and database retrieval (CPC 7523**); (k) Electronic data interchange (EDI) (CPC 7523 **); (l) Enhanced value-added facsimile services, including store and forward, store and retrieve (CPC 7523**); (m) Code and protocol conversion; (n) Online information and data processing (including transaction processing) (CPC 843**); (o) Other telecommunications services n.e.c. (CPC 75299).	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None, except as indicated in the horizontal section. (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. AUDIO-VISUAL SERVICES			
Nothing in this commitment shall require the Union of the Comoros to permit a means of exhibition or transmission of audio-visual services to the public that is not generally permitted by the Comorian Government.			
(a) Motion picture or video production and distribution services (CPC 9611) ⁴ (business-to-business only)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	
(b) Motion picture projection services (CPC 9612) ⁵	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	
(e) Sound recording	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal commitments	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. General construction work for buildings (CPC 512) B. Installation and assembly work (CPC 514, 516) C. Building completion and finishing work (CPC 517) D. Other (CPC 511, 5115, 515, 518)	(1) Unbound. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) None. (3) None. (4) Unbound, except for lower management and workers, where the requisite skills are not available domestically.	
4. DISTRIBUTION SERVICES			
A. Commission agents' services (CPC 621)	(1) Unbound. (2) Unbound. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) Unbound. (3) None. (4) Unbound, except as indicated in the horizontal section.	

⁴ For greater certainty, this subsector excludes broadcasting on television.

⁵ For greater certainty, this subsector excludes broadcasting on television.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
B. Wholesale trade services (CPC 622)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
C. Retailing services (CPC 631 + CPC 632)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
D. Franchising (CPC 8929)	(1) Unbound. (2) Unbound. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) Unbound. (3) None. (4) Unbound, except as indicated in the horizontal section.	
5. EDUCATIONAL SERVICES			
C. Higher education services (CPC 923) E. Other educational services, including technical and vocational training services (CPC 929)	(1) None. (2) None. (3) None. ⁶ (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. ⁷ (4) Unbound, except as indicated in the horizontal section.	
6. ENVIRONMENTAL SERVICES			
A. Sewage services (CPC 9401)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
B. Refuse disposal services (CPC 9402)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
C. Sanitation and similar services (CPC 9403)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

⁶ Prior technical approval must be obtained from the relevant ministries.

⁷ Foreign teachers in foreign-invested education establishments must have no less than five years' teaching experience and be recognized by the Ministry of Education.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
D. Other environmental protection services (CPC 9490): - Cleaning services of exhaust gases (CPC 9404) - Noise and vibration abatement services (CPC 9405) - Remediation and clean-up of soil and waters, protection of biodiversity and landscape (CPC 9406) - Other environmental protection services (CPC 94090)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
7. FINANCIAL SERVICES			
A. Insurance and insurance-related services			
(i) Direct insurance (including co-insurance) (A) Life (B) Non-life (ii) Reinsurance and retrocession; (iii) Insurance intermediation, such as brokerage and agency; (iv) Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
B. Banking and other financial services (excluding insurance)			
(v) Acceptance of deposits and other repayable funds from the public; (vi) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions; (vii) Financial leasing; (viii) All payment and money transmission services, including credit, charge and debit cards, travellers' cheques and bankers drafts (including export-import payment); (ix) Guarantees and commitments;	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(x) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: <ul style="list-style-type: none"> - money market instruments (cheques, bills, certificates of deposits, etc.); - foreign exchange; - derivative products, including futures and options; - exchange rate and interest rate instruments, such as swaps and forward rate agreements, etc.; - transferable securities; - other negotiable instruments and financial assets, such as bullion; (xi) Participation in issues of all kind of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues; (xii) Money broking; (xiii) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services; (xiv) Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments; (xv) Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; (xvi) Advisory, intermediation and other auxiliary financial services on all the activities listed in subparagraphs (v) through (xv), including credit reference and analysis, investment and portfolio research and advice, advice on acquisition and on corporate restructuring and strategy.			

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
8. HEALTH-RELATED AND SOCIAL SERVICES (other than those in section 1.A.h-j.)			
A. Hospital services: Ownership and management of private hospitals and clinics only (CPC 9311)	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. ⁸ (4) Unbound, except as indicated in the horizontal section.	
9. TOURISM AND TRAVEL-RELATED SERVICES			
A. Hotel and restaurant services (including catering services)			
- Lodging services (CPC 64110) - Food services (CPC 642) and beverage serving services (CPC 643)	(1) None. (2) None. (3) Unbound until three years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter, but only for hotels with more than 30 rooms. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) Unbound until three years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter, but only for hotels with more than 30 rooms. (4) Unbound, except as indicated in the horizontal section.	
B. Travel agency and tour operator services (CPC 7471)	(1) None. (2) None. (3) Unbound until three years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) Unbound until three years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	
C. Tour guides (CPC 7472)	(1) Unbound. (2) Unbound. (3) Unbound, except for tour guides with language capabilities not otherwise available in the Comoros. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound. (2) Unbound. (3) Unbound. ⁹ (4) Unbound, except as indicated in the horizontal section.	

⁸ Conditions: employees of WTO Member businesses who provide such services must have no less than five years' experience in this field and be recognized by the Ministry responsible for health.

⁹ WTO Member tour guides must have at least five years' experience in this field and be recognized by the Ministry responsible for tourism in the Union of the Comoros.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
11. TRANSPORT SERVICES			
A. Maritime transport services			
(a) International passenger transportation (CPC 7211 less cabotage); (b) Freight transportation (CPC 7212).	(1) None. (2) None. (3) (a) Establishment of a registered company for the purpose of operating a fleet under the national flag: Unbound. (b) Other forms of commercial presence for the supply of international maritime transport services: None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	The following services are available to international maritime transport service suppliers on reasonable and non-discriminatory terms and conditions: <ol style="list-style-type: none"> 1. Pilotage and berthing; 2. Towing and tug assistance; 3. Provisioning, fuelling and watering; 4. Garbage collecting and ballast waste disposal; 5. Port captain services; 6. Navigation aid; 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies; 8. Emergency repair facilities; 9. Anchorage, berth and berthing services.
Maritime auxiliary services - Maritime cargo handling and transshipment services	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
C. Air transport services			
- Selling and marketing of air transport services (CPC 66110);	(1) Unbound for commercial transport of passengers and goods between any two points located in Comorian territory. None for other services. (2) None. (3) Unbound for commercial transport of passengers and goods between any two points located in Comorian territory. None for other services. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound for commercial transport of passengers and goods between any two points located in Comorian territory. None for other services. (2) None. (3) Unbound for commercial transport of passengers and goods between any two points located in Comorian territory. None for other services. (4) Unbound, except as indicated in the horizontal section.	
- Computer reservation systems.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
(d) Maintenance and repair of aircraft (CPC 8868).	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	(1) None. (2) None. (3) None. (4) Unbound, except as indicated in the horizontal section.	
H. Services auxiliary to all modes of transport			
(a) Cargo-handling services (CPC 741); (b) Warehouse and storage services (CPC 742); (c) Freight transport agency services (CPC 748).	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	(1) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (2) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (3) Unbound until five years after the date of entry into force of the Protocol of Accession of the Comoros to the WTO. None thereafter. (4) Unbound, except as indicated in the horizontal section.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons			
Sector or Subsector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
12. ENERGY SERVICES			
Distribution			
- Fossil energy:			
(a) Services incidental to energy distribution (CPC 887)	(1) None. (2) None.	(1) None. (2) None.	
(b) Trade services incidental to retail sales of motor fuel (CPC 613)	(3) None. (4) Unbound, except as indicated in the horizontal section.	(3) None. (4) Unbound, except as indicated in the horizontal section.	
(c) Services incidental to retail sales of bottled gas (CPC 63297)			
(d) Services incidental to mining (CPC 88300)			
(e) Related scientific and technical consulting services: off-shore oil and gas exploration (CPC 86751)			
(f) Administrative fuel and energy related services (CPC 91132)			

UNION OF THE COMOROS – LIST OF ARTICLE II (MFN) EXEMPTIONS

Sector or subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
All sectors	Measures extending preferential treatment for commercial presence pursuant to bilateral investment agreements	All countries that have signed or will sign bilateral investment agreements with the Union of the Comoros	Indefinite	Fostering of investment in the Union of the Comoros
All sectors	Measures extending preferential treatment for commercial presence pursuant to bilateral double taxation agreements	All countries that have signed or will sign bilateral double taxation agreements with the Union of the Comoros	Indefinite	Fostering of investment in the Union of the Comoros
Legal services	Measures based on the principle of reciprocity in terms of the capacity to plead in a jurisdiction	All countries. Capacity facilitated for OHADA countries	Indefinite	Sharing of a common legal space (OHADA law)
Audio-visual services	Measures relating to broadcasting and other similar forms of transmission of audio-visual works, including television and radio programmes, meeting origin criteria and other criteria established by the relevant agreements	All countries with which bilateral and plurilateral agreements are in force, now or in the future	Indefinite	Preservation and promotion of cultural identity and heritage and development of cultural links
Audio-visual services	Measures based on intergovernmental and plurilateral co-production agreements, which confer national treatment to audio-visual works covered by such agreements, including production and distribution subsidies	All countries with which bilateral and plurilateral agreements are in force, now or in the future	Indefinite	Preservation and promotion of cultural identity and heritage and development of cultural links
Audio-visual services	Measures granting the benefit of support programmes to audio-visual works, including television and radio programmes, and to suppliers of such works meeting certain origin criteria	All countries with which bilateral and plurilateral agreements are in force, now or in the future	Indefinite	Preservation and promotion of cultural identity and heritage and development of cultural links

TELECOMMUNICATIONS SERVICES 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 a major supplier 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.
