



Trade in Services Agreement (TiSA) EU Cover Note on Reservations

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Author: European Commission, Directorate-General for Trade, B1, Services and Investment, Intellectual Property and Public Procurement

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Description

This is a confidential note from the European Commission's Directorate-General for Trade, offering information in response to a series of reservations raised at a Trade Policy Committee (Services and Investment) meeting held on February 18, 2015. The note is part of correspondence in connection with the ongoing negotiation of the Trade in Services Agreement (TiSA). TiSA is an international treaty currently under negotiation between the United States, the European Union and 23 other countries. The Agreement creates an international legal regime which aims to deregulate and privatize the supply of services - which account for the majority of the economy across TiSA countries. The text dates from shortly after the 11th round of TiSA negotiations held 9-13 February 2015 in Geneva, Switzerland.

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EUROPEAN COMMISSION

Directorate-General for Trade

Directorate B - Services and Investment, Intellectual Property and Public Procurement
Services

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LIMITED

**FOR THE ATTENTION OF
THE TRADE POLICY COMMITTEE (SERVICES and INVESTMENT)**

Subject: EU reservations

Origin: DG Trade B1

Ignacio Iruarrizaga
Tel. +32 2 298 63 17
ignacio.iruarrizaga@ec.europa.eu

Soeren Jakobsen
Tel. +32 2 295 41 85
soeren.jakobsen@ec.europa.eu

Joanna Pochtowska
Tel. +32 2 299 25 86
joanna.pochtowska@ec.europa.eu

Objective: For information following the presentation at the TPC on 18 February

Following the Commission's presentation at the TPC meeting on 18/03/2015, these are the suggestions on the reservations in the discussed sectors:

- Reservation no 580 – it would fall under the services provided by a governmental authority. To that extent, it would be unnecessary to schedule it.
- Reservation no 198 – the CPC codes need to be verified to see whether they relate to all listed sectors. In previous agreements there is no such a reservation in the same sector, for example in the EU-Korea schedule.
- Reservation no 581 – can it be considered as a domestic regulation issue? If so, it would not need to be scheduled. If this is beyond domestic regulation, why does is

have to be in Annex II? Under Annex I it would still be possible to introduce new non-discriminatory legislation.

- Reservation no 178 – this reservation should be classified consistently with other reservations on recycling, e.g. under CPC prov. 884.
- Reservation no 527:
First part of reservation: it should be clarified why this reservation is necessary, taking into account that no other Member State retains the ability to introduce additional quantitative restrictions in this sector.
Second part of reservation: it undermines the horizontal public utilities reservation and therefore it would be counterproductive.
- Reservation no 528:
First part of reservation: it should be clarified why this reservation is necessary, taking into account that no other Member State retains the ability to introduce additional quantitative restrictions in this sector.
Second part of reservation: it undermines the horizontal public utilities reservation and therefore it would be counterproductive.
- Reservation no 343 - This reservation should be classified consistently with other reservations on recycling, e.g. CPC prov. 884 and 885.
- Reservation no 375 – What is the implication of a requirement for headquarters to be within this MS? It should be clarified to what extent this reservation relates to internal market legislation, i.e. would a non-EU company incorporated in another EU country be able to enter business in this MS? If yes, would this reservation make practical sense?
- Reservation no 651 - it undermines the horizontal public utilities reservation and therefore it would be counterproductive.
- Reservation no 650 – it undermines the horizontal public utilities reservation and therefore it would be counterproductive. It is also inconsistent with other reservations on recycling.