

# WORLD TRADE ORGANIZATION

RESTRICTED

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**Working Party on the Accession  
of the Kyrgyz Republic**

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DRAFT REPORT OF THE WORKING PARTY  
ON THE ACCESSION OF THE KYRGYZ REPUBLIC

Schedule CXLII - Kyrgyz Republic

Part II - Schedule of Specific Commitments on Services

As indicated in paragraph 169 of the Draft Report of the Working Party on the Accession of the Kyrgyz Republic, the Schedule of Concessions and Commitments on Services resulting from the negotiations between the Kyrgyz Republic and WTO Members is annexed to the Protocol of Accession of the Kyrgyz Republic and is reproduced hereunder.

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
Commitments include <u>all</u> sectors	<p>(4) Unbound except for measures concerning temporary entry and stay of nationals of another member who fall into the categories below:</p> <p><u>Services salespersons</u> - persons not based in the territory of the Kyrgyz Republic and receiving no remuneration from a source located within the Kyrgyz Republic, who are engaged in activities related to representing a services supplier for the purpose of negotiating for the sale of the services of that supplier where:</p> <p>(a) such sales are not directly made to the general public; and</p> <p>(b) the salesperson is not engaged in supplying the service.</p> <p>Entry for persons named in this section is limited to a ninety-day period.</p> <p><u>Intra-corporate transferees</u> - managers, executives and specialists, as defined below, who are employees of firms that provide services within the Kyrgyz Republic through a branch, subsidiary, or affiliate established in the Kyrgyz Republic and who have been in the prior employ of their firm outside the Kyrgyz Republic for the period of not less than one year immediately preceding the date of their application for admission and who are one of the following:</p>	<p>(4) Unbound except for the measures affecting the presence of natural persons in the territory of Kyrgyz Republic (KR) - for CIS citizens no entry visa is required. Citizens from other countries are required to obtain entry visas (except countries with which the Kyrgyz Republic has agreements on entrance without visas).</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(a) <u>Managers</u> - 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, firing, or other personnel actions (such as promotion or leave authorization), and exercise discretionary authority over day-to-day operations. 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>(b) <u>Executives</u> - persons within the organization who primarily direct the management of the organization, establish the goals and policies 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 of the business. Executives would not directly perform tasks related to the actual provision of a service or services of the organization.</p>		

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(c) <u>Specialists</u> - 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>Persons responsible for the setting up of a commercial presence.</p> <p>Persons as employees of an enterprise engaged in substantive business in the Kyrgyz Republic without having commercial presence in the Kyrgyz Republic who provide a service as a professional of a service sector.</p> <p>Entry for persons named in this section is limited to a three-year period that may be extended for up to two additional years for a total term not to exceed five years.</p>		
<b>II. COMMITMENTS IN SPECIFIC SECTORS</b>			
<b>1. BUSINESS SERVICES</b>			
<b>A. Professional Services</b> <b>(a) Legal services (CPC 861)</b> <b>(i) Legal services: home country law and public international law (excluding Kyrgyz Law)</b>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated under horizontal commitments</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound except as indicated under horizontal commitments</p>	

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
(ii)	Legal services: practice as or though a qualified Kyrgyz lawyer	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	Advocate services may be provided only by KR citizens. Only an advocate has the right to provide legal services in connection with criminal matters	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(b)	Accounting, auditing and bookkeeping services (CPC 862)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
(c)	Taxation services (CPC 863)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(d)	Architectural services (CPC 8671)	(1)	None	(1)	None	
		(2)	None	(2)	None	
(e)	Engineering services (CPC 8672)	(3)	None	(3)	None	
(g)	Urban planning and landscape architectural services (CPC 8674)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(h)	Medical and dental services (CPC 9312)	(1)	None	(1)	None	
		(2)	None	(2)	None	
(i)	Veterinary services (CPC 932)	(3)	Unbound	(3)	Unbound	
(j)	Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(k)	Services in the sphere of industrial property	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	Unbound	(3)	Unbound	
		(4)	Only a citizen of the Kyrgyz Republic, who is permanently residing in the Kyrgyz Republic, has the right to provide services (in the sphere of industrial property) as a patent agent	(4)	Only a citizen of the Kyrgyz Republic, who is permanently residing in the Kyrgyz Republic, has the right to provide services (in the sphere of industrial property) as a patent agent	

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
B.	Computer and Related Services (CPC 841-845, 849)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
C.	Research and Development Services (CPC 851-853)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
D. (a)	Real Estate Services Involving own or leased property (CPC 821)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	Unbound	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(b)	On a fee or contract basis (CPC 822)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	Unbound	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
E.	Rental/Leasing Services Without Operators and With Operators (CPC 83101-83109, 832)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
F. (a)	Other Business Services Advertising services (CPC 871)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(c)	Management consulting services (CPC 865, 866)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(e)	Technical testing and analysis services (CPC 8676)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(f)	Services incidental to agriculture, hunting and forestry (CPC 881)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
(g)	Services incidental to fishing (CPC 882)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	Unbound	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(h)	Services incidental to mining (CPC 883, 5115)	(1)	None	(1)	None	
		(2)	None	(2)	None	
(i)	Services incidental to manufacturing (CPC 884, 885, except for 88442)	(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(j)	Services incidental to energy distribution (CPC 887)	(1)	Unbound	(1)	Unbound	
		(2)	Unbound	(2)	Unbound	
		(3)	None, except for services on distribution of electric energy	(3)	None, except for services on distribution of electric energy	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(m)	Scientific and technical consulting services (CPC 8675)	(1)	None	(1)	None	
		(2)	None	(2)	None	
(n)	Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633, 8861-8866)	(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(r)	Printing, publishing (CPC 88442)					
(s)	Convention services (CPC 87909*)					
(t)	Market research and public opinion monitoring services					
2. COMMUNICATION SERVICES						
A.	Postal Services (CPC 7511)	(1)	Unbound	(1)	Unbound	
		(2)	None	(2)	NONE	
		(3)	Unbound	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
B.	Courier Services (CPC 7512)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
C.	Telecommunication Services: Basic and Enhanced Telecommunication Services <sup>1</sup>					The Kyrgyz Republic undertakes additional commitments as contained in the attachment, all parts of which are equally binding.
(a)	Voice telephone services (CPC 7521)	(1)	None, except for international and long distance communications, where none as from 1 January 2003	(1)	None	
(d)	Telex services (CPC 7523**)	(2)		(2)	None	
(e)	Telegraph services (CPC 7522)	(3)	None, except for international and long distance communication, where none as from 1 January 2003. Unbound except as indicated under horizontal commitments	(3)	None	
(g)	Private leased circuit services: (CPC 7522**, 7523**) Mobile services; Analogue/digital cellular services; PCS (personal communications services); Paging services; Mobile data services.	(4)		(4)	Unbound except as indicated under horizontal commitments	
(b)	Packet-switched data transmission services (CPC 7523**)	(1)	None	(1)	None	
(c)	Circuit-switched data transmission services (CPC 7523)	(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	

<sup>1</sup> Commitments undertaken in this section are in accordance with the Notes by the Chairman S/GBT/W/2/Rev.1 and S/GBT/W/3.



Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
(f)	Facsimile services (CPC 7521**, 7529**)					
(h)	Electronic mail (CPC 7523**)					
(i)	Voice mail (CPC 7523**)					
(j)	On-line information and data base retrieval (CPC 7523**)					
(k)	Electronic data interchange (EDI) (CPC 7523**)					
(l)	Enhanced/value-added facsimile services, incl. store and forward, store and retrieve (CPC 7523**)					
(m)	Code and protocol conversion					
(n)	On-line information and/or data (CPC 843**)					
(o)	Other					
D.	Audiovisual Services	(1)	None	(1)	None	
(a)	Motion picture and video tape production and distribution services (CPC 9611)	(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(b)	Motion picture projection service (CPC 9612)					
(c)	Radio and television services (CPC 9613)					
(d)	Radio and television transmission services (CPC 7524)					
(e)	Sound recording					

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES						
(CPC 511-518)	(1) None (2) None (3) None (4) Unbound except as indicated under horizontal commitments	(1) None (2) None (3) None (4) Unbound except as indicated under horizontal commitments				
4. DISTRIBUTION SERVICES						
A. Commission Agents' Services (CPC 621) B. Wholesale Trade (except wholesale trade of alcoholic beverages, tobacco, firearms, pharmaceuticals) (CPC 622) C. Retailing Services (except for alcoholic beverages and tobacco) (CPC 631, 632, 6111, 6113, 6121) D. Franchising (CPC 8929)	(1) None (2) None (3) None (4) Unbound except as indicated under horizontal commitments	(1) None (2) None (3) None (4) Unbound except as indicated under horizontal commitments				
5. EDUCATION SERVICES						
A. Primary Education Services (CPC 921)	(1) None, except for on primary education services funded from State sources (2) None (3) None, except for on primary education services funded from State sources (4) Unbound except as indicated under horizontal commitments	(1) None, except for on primary education services funded from State sources (2) None (3) None (4) Unbound except as indicated under horizontal commitments				

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
B.	Secondary Education Services (CPC 922)	(1)	None, except for on secondary education services funded from State sources	(1)	None, except for on secondary education services funded from State sources	
		(2)	None	(2)	None	
		(3)	None, except for on secondary education services funded from State sources	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
C.	Higher education services (CPC 923)	(1)	None, except for on higher education services funded from State sources	(1)	None, except for on higher education services funded from State sources	
		(2)	None	(2)	None	
		(3)	None, except for on higher education services funded from State sources	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
D.	Adult Education (CPC 924)	(1)	None, except for on adult education services funded from State sources	(1)	None, except for on adult education services funded from State sources	
		(2)	None	(2)	None	
		(3)	None, except for on adult education services funded from State sources	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
6. ENVIRONMENTAL SERVICES						
A.	Sewage Services (CPC 9401)	(1)	None	(1)	None	
B.	Refuse Disposal Services (CPC 9402)	(2)	None	(2)	None	
		(3)	None	(3)	None	
C.	Sanitation and Similar Services (CPC 9403)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
D.	Other					
7. FINANCIAL SERVICES						
A.	<u>All Insurance and Insurance Related Services</u> (CPC 812**)	(1)	Unbound, except for insurance of cargo transportation, brokerage and reinsurance	(1)	None	
		(2)	None	(2)	None	

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
(a)	Life, accident and health insurance services (CPC 8121)	(3)	None, except for foreign ownership in Kyrgyz legal entities providing insurance services must not exceed 49%. This restriction will be eliminated by 1 January 2002.	(3)	None	
(b)	Non-life insurance services (CPC 8129)			(4)	Unbound except as indicated under horizontal commitments	
(c)	Reinsurance and retrocession (CPC 81299*)	(4)				
(d)	Services auxiliary to insurance (including broking and agency services) (CPC 8140)					
<b>B. <u>Banking and Other Financial Services</u> (excluding insurance)</b>						
(a)	Acceptance of deposits and other repayable funds from the public (CPC 81115-81119)	(1)	None	(1)	None	
		(2)	None	(2)	None	
(b)	Lending of all types, incl., inter alia , consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC 8113)	(3)	None	(3)	None, except for: The minimum capital requirement for banks with less than 20% foreign participation is half that required for banks with more than 20% foreign participation. This distinction will be eliminated by 31 December 2002	
(c)	Financial leasing (CPC 8112)					
(d)	All payment and money transmission services (CPC 81339**)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(e)	Guarantees and commitments (CPC 81199**)					
(f)	Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:					

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
<ul style="list-style-type: none"> <li>- money market instruments (cheques, bills, certificate of deposits, etc.) (CPC 81339**)</li> <li>- foreign exchange (CPC 81333)</li> <li>- derivative products incl., but not limited to, futures and options (CPC 81339**)</li> <li>- exchange rate and interest rate instruments, incl. products such as swaps, forward rate agreements, etc. (CPC 81339**)</li> <li>- transferable securities (CPC 81321*)</li> <li>- other negotiable instruments and financial assets, incl. bullion (CPC 81339**)</li> </ul> <p>(g) Participation in issues of all kinds of securities, incl. under-writing and placement as agent (whether publicly or privately) and provision of service related to such issues (CPC 8132)</p> <p>Money broking (CPC 81339**)</p> <p>i) Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depositary and trust services (CPC 8119**, 81323*)</p> <p>(j) Settlement and clearing services for financial assets, incl. securities, derivative products, and other negotiable instruments (CPC 81339** or 81319**)</p>			

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
(k)	Advisory and other auxiliary financial services on all the activities listed in Article 1B of MTN.TNC/W/50, incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (CPC 8131 or 8133)					
(l)	Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC 8131)					
8. HEALTH RELATED AND SOCIAL SERVICES						
(other than those listed under IA(h-j.) (CPC 9311, 9319 other than 93191, 933))		(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
9. TOURISM AND TRAVEL RELATED SERVICES						
A.	Hotels and Restaurants (incl. catering) (CPC 641-643)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
B.	Travel Agencies and Tour Operators' Services (CPC 7471)	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
C.	Tourist Guides Services (CPC 7472)					
D.	Other					

Sector or sub-sector		Limitations on market access		Limitations on national treatment		Additional commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES						
(Other than audiovisual services) (CPC 9619, 962-964)		(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
11. TRANSPORT SERVICES						
A.	Maritime Transport Services (CPC 7211-7214, 745**, 8868**)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
C.	Air Transport Services (except maintenance and repair of aircraft) (CPC 731, 732, 734, 746)	(1)	Foreign air transport companies are not permitted to provide domestic air transportation services	(1)	Unbound	
		(2)	Unbound	(2)	Unbound	
		(3)	Unbound	(3)	Unbound	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(d)	Maintenance and repair of aircraft (CPC 8868**)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None except foreign ownership interest in Kyrgyz legal entities providing such services can not exceed 49%. This restriction will be removed before 2005	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
E.	Rail Transport Services (CPC 7111-7113, 8868**, 743)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
F.	Road Transport Services (CPC 7121-7124, 6112, 8867, 744)	(1)	None	(1)	None	
		(2)	None	(2)	None	
		(3)	None	(3)	None	
		(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	

Sector or sub-sector	Limitations on market access		Limitations on national treatment		Additional commitments
G. Pipeline Transport (CPC 7131, 7139)	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
H. Services Auxiliary to all Modes of Transport (CPC 741, 742, 748)	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	
(d) Services on transport tickets reservation by means of computers (CPC 749)	(1)	None	(1)	None	
	(2)	None	(2)	None	
	(3)	None	(3)	None	
	(4)	Unbound except as indicated under horizontal commitments	(4)	Unbound except as indicated under horizontal commitments	

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in this classification list.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance (e.g. voice mail is only a component of CPC item 7523).



## ANNEX 1

### REFERENCE PAPER

#### Scope

The following are principals on the regulatory framework for basic telecommunications services.

#### Definitions

"Users" means service consumers and service suppliers.

"Essential facilities" means facilities of a public telecommunications transport network or service that:

- are exclusively or predominantly provided by a single or limited number of suppliers; and
- 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:

- control over essential facilities; or
- 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:

- engaging in anti-competitive cross-subsidization;
- using information obtained from competitors with anti-competitive results; and
- 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:

- 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;
- 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
- 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 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:

- at any time or
- 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

Kyrgyz Republic 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 Kyrgyz Republic.

## 4. Public availability of licensing criteria

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

- all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
- 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 procedure 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.

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