

## Working Party on GATS Rules

### WORK PROGRAMMES

Adopted by the Working Party on GATS Rules on 22 July 2002

1. In organizing the work of the Working Party as outlined below, Members recognize that -
  - (a) The work programmes do not prejudice in any way the outcome of the respective negotiations on emergency safeguard measures, subsidies and government procurement. Members will remain free to bring up any relevant issues for discussion, including the questions of feasibility and desirability, as well as the scope of the negotiations, under any of the three subjects of negotiations.
  - (b) The benchmarks for submissions are indicative, with a view to encouraging Members to put forward submissions on the respective subjects as early as possible, and would be without prejudice to Members' right to put forward further suggestions and raise relevant issues by way of submissions at any time, under any of the three subjects of negotiations.
  - (c) The undertaking of individual items of work, including the question of feasibility and desirability, should be without prejudice to each other under each subject of negotiations.
2. Members also recognize that flexibility should be exercised in conducting the work of the Working Party and the work programmes may be adjusted in the future to take account of latest progress.

### I. EMERGENCY SAFEGUARDS MEASURES

3. Having regard to Article X of the GATS, paragraph 7 of the Negotiating Guidelines (S/L/93)<sup>1</sup> and the fourth decision on negotiations on emergency safeguard measures (S/L/102)<sup>2</sup>, and with a view to structuring future work of the Working Party on GATS Rules, the Working Party will organize its work on emergency safeguard measures (ESM) as follows –

- (a) to identify, elaborate and consolidate elements for ESM and to address the question of feasibility and desirability of ESM;
- (b) to encourage Members to put forward submissions on ESM as early as possible before 31 December 2002, without prejudice to Members' right to put forward further suggestions and raise relevant issues;

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<sup>1</sup> Paragraph 7 of the Negotiating Guidelines (S/L/93) states *inter alia* that "Negotiations on safeguards under Article X shall be completed by 15 March 2002 according to the Decision adopted by the Council for Trade in Services on 1 December 2000".

<sup>2</sup> S/L/102 states *inter alia* that "[t]he first sentence of paragraph 1 of Article X shall continue to apply until 15 March 2004". The first sentence of paragraph 1 of Article X reads "[t]here shall be multilateral negotiations on the question of emergency safeguard measures based on the principle of non-discrimination".

- (c) the Chairperson to circulate a note by 15 March 2003 to report on the results of work under item (a), identifying areas of convergence and divergence among Members, with a view to providing a basis to facilitate further negotiations;
- (d) to prepare for the opportunity provided by the Fifth Ministerial Conference to take stock of progress made in the negotiations; and
- (e) to finalize the negotiations under Article X by 15 March 2004.

## **II. SUBSIDIES**

4. Having regard to Article XV of the GATS and paragraph 7 of the Negotiating Guidelines (S/L/93)<sup>3</sup>, and with a view to structuring future work of the Working Party on GATS Rules, the Working Party will organize its work on subsidies as follows –

- (a) to continue discussion on subsidies on the basis of submissions from Members and materials available;
- (b) to encourage Members to put forward submissions on subsidies as early as possible before 31 March 2003, without prejudice to Members' right to put forward further suggestions and raise relevant issues;
- (c) the Chairperson to circulate a note by 30 June 2003 to report on the progress of work; and
- (d) to prepare for the opportunity provided by the Fifth Ministerial Conference to take stock of progress made in the negotiations.

## **III. GOVERNMENT PROCUREMENT**

5. Having regard to Article XIII of the GATS and paragraph 7 of the Negotiating Guidelines (S/L/93)<sup>4</sup>, and with a view to structuring future work of the Working Party on GATS Rules, the Working Party will organize its work on government procurement as follows –

- (a) to continue discussion on government procurement on the basis of submissions from Members and materials available;
- (b) to encourage Members to put forward submissions on government procurement as early as possible before 31 March 2003, without prejudice to Members' right to put forward further suggestions and raise relevant issues;
- (c) the Chairperson to circulate a note by 30 June 2003 to report on the progress of work; and
- (d) to prepare for the opportunity provided by the Fifth Ministerial Conference to take stock of progress made in the negotiations.

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<sup>3</sup> Paragraph 7 of the Negotiating Guidelines (S/L/93) states *inter alia* that "Members shall aim to complete negotiations under Articles VI:4, XIII and XV prior to the conclusion of negotiations on specific commitments".

<sup>4</sup> See footnote 3.