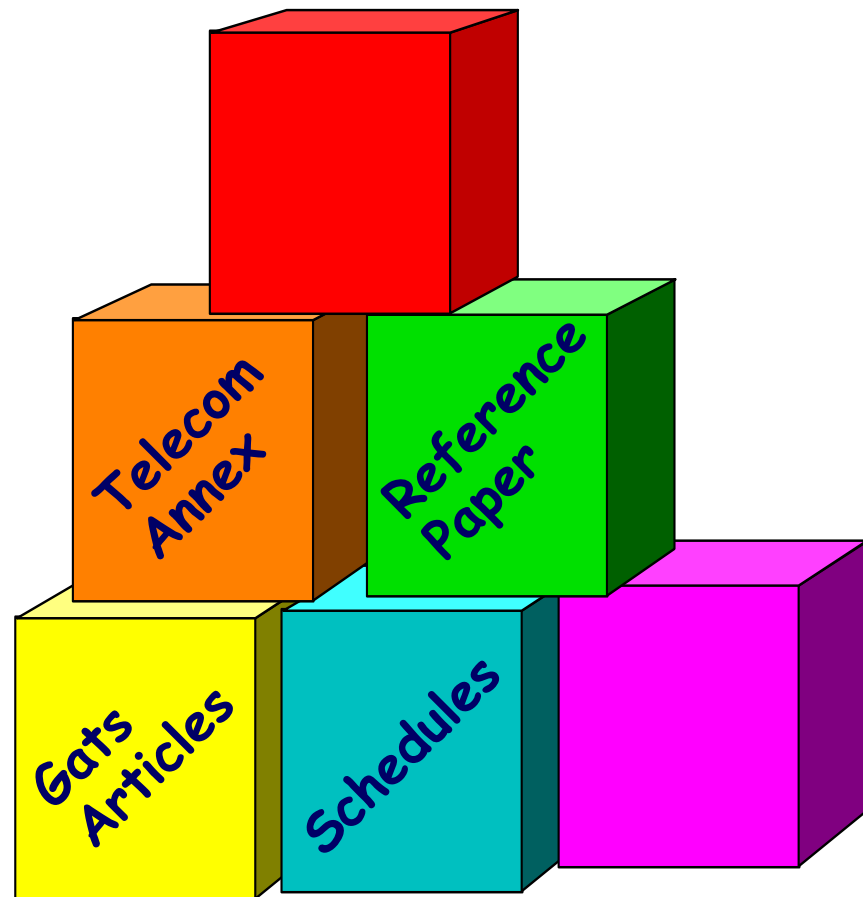


GATS

Trade Principles for Telecom Reform

Lee Tuthill
lee.tuthill@wto.org
Trade in Services Division
WTO, Geneva
<http://www.wto.org>



Key Ingredients for Reform



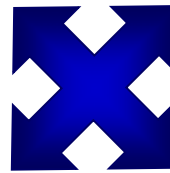
- “ **Clearly set out policies** in laws, regulations, licenses, contracts
- “ **Make all processes open** to participation & review by all interested parties
- “ Ensure the award of licenses/contracts adheres strictly to **criteria clearly announced** at outset
- “ **Limit discretionary intervention** by government
- “ Restructure prices - **based on costs**
- “ Guarantee **reasonable interconnection** to dominant operator(s)

GATS Fundamentals



Non-
discrimination

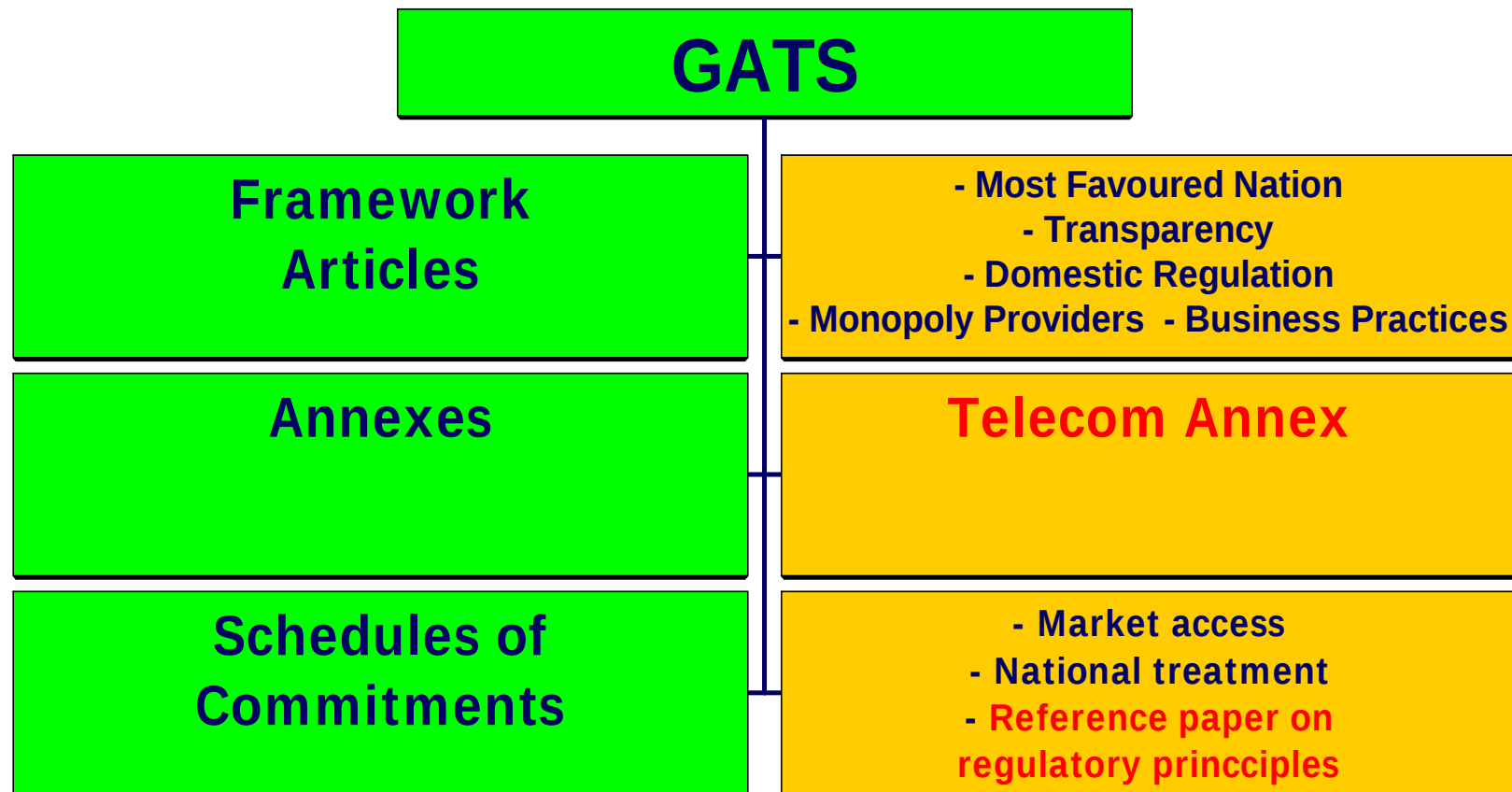
Transparency



Reasonable
regulation

Competition
safeguards

GATS Obligations & Telecommunications Regulation



GATS commitments on communication services sectors

	<i>Postal</i>	<i>Courier</i>	<i>Telecom- munications</i>	<i>Audio- visual</i>
Azerbaijan	<i>accession in progress</i>			
Kazakhstan	<i>accession in progress</i>			
Kyrgyz Republic	X	X	X	X
Russian Federation		X	X	X
Tajikistan		X	X	X
Turkmenistan				
Uzbekistan	<i>accession in progress</i>			

Levels of Competition?

	Data Services	Domestic fixed LD	Fixed Satellite Services	Fixed Wireless Broadband	Interna- tional Gateways	Interna- tional Fixed LD	Internet Services	Leased Lines	Local Fixed Services	Mobile
Azerbaijan	C	M	C	C	M	P	C	P	P	P
Kazakhstan	C	C	C	C	C		C	C	C	P
Kyrgyzstan	C	C	C	C	C	C	C	C	C	C
Russia	C	D	D			D		M	D	C
Tajikistan	D	M	D			M		M	M	
Turkmenistan	M	M	D			M		D	C	C
Uzbekistan	D	D	D			D		D	D	C

Source: ITU Indicators – Regulatory database – Pre 2011 data

Reasonable Regulation

Objectivity is Key...



GATS Article VI: Domestic Regulation

In services where commitments are undertaken:

Administer all measures applicable to services or service sectors in a reasonable, objective and impartial manner

Reference Paper

Independent telecom regulator

Separate from, and not accountable to, any basic telecom supplier. Decisions and procedures impartial with respect to all market participants



discrimination

on applying to all services, scheduled or not:

Article II: Most Favoured Nation Treatment

discrimination among services or service suppliers
members

applying, as indicated, to services specified in Schedules:

Article XVII: National Treatment

discrimination against foreign services or service
in relation to domestic ones

Index & Reference Paper - Various provisions