



**EUROPEAN COMMISSION**  
Permanent Delegation  
to the International Organisations in Geneva  
Head of Delegation

Geneva, 14 March 2006  
D(2006) ile06/nc/distrib/India - 700639

Dear Ambassador,

**Subject: Plurilateral request on distribution services.**

Further to paragraphs 25 through 27 of the Hong Kong Ministerial Declaration, and in accordance with paragraphs 7 and 11 (b) of Annex C of the Hong Kong Ministerial Declaration, I am pleased, as the coordinating Member, to convey herewith a plurilateral request in the distribution sector on behalf of a number of interested Members.

I would be grateful if your delegation could indicate to me by close of business Thursday 16 March whether you have any objection to have your name made known to other recipients.

Yours sincerely,

**Carlo TROJAN**  
**Ambassador**

c.c.: Permanent Missions of: Chile, Japan, the Republic of Korea, Mexico, Singapore, The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States.

## Collective request on Distribution Services

Further to paragraphs 25 through 27 of the Hong Kong Ministerial Declaration, and in accordance with paragraphs 7 and 11 (b) of Annex C of the Hong Kong Ministerial Declaration, the Permanent Delegation of the European Commission to the International Organisations in Geneva is pleased to present the delegation of India with a collective request in distribution services on behalf of the following interested Members: Chile, the European Communities, Japan, the Republic of Korea, Mexico, Singapore, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States.

This request identifies specific objectives for the liberalization of the distribution sector, while recognizing the flexibilities provided for individual developing country Members in accordance with Article XIX.2 of the GATS. The aforementioned interested Members are also deemed to be recipients of this request.

In accordance with paragraph 7 of Annex C of the Hong Kong Ministerial Declaration, this collective request is intended to complement, and not supersede, the bilateral request-offer negotiations and the specificity of bilateral requests.

The Permanent Delegation of the European Commission to the International Organisations has the further pleasure to invite India to participate in a plurilateral discussion of this request, which will be organized in Geneva during the Services cluster taking place from 27 March to 7 April, 2006.

Please note that 18 other Members have received this collective request in distribution services from the aforementioned group of interested Members, and have also been invited to this plurilateral meeting.

The aforementioned interested Members reserve the right to modify the content of this request in the future. The list of interested Members is also subject to change.

Any comments regarding this request, including written questions of a technical nature in advance of the plurilateral meeting, may be addressed to:

<p><i>European Commission, Brussels:</i> <b>Mr Nicolas BERNIER ABAD</b> <a href="mailto:nicolas.bernier-abad@cec.eu.int">nicolas.bernier-abad@cec.eu.int</a> Tél : +32-2-295.59.29 Fax : +32-2-299.24.35</p>	<p><i>Delegation of the European Commission to the international organisations, Geneva:</i> <b>Mrs Nathalie CHAZE</b> <a href="mailto:nathalie.chaze@cec.eu.int">nathalie.chaze@cec.eu.int</a> Tél : +41-22-918.22.11 Fax : +41-22-734.22.36 or <b>Ms. Hene LEHT</b> <a href="mailto:hene.leht@cec.eu.int">hene.leht@cec.eu.int</a> Tél : +41-22-918.22.34</p>
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## THE COLLECTIVE REQUEST

In order to achieve a progressively higher level of liberalization of trade in distribution services, we **request** that India make new and improved commitments adhering to the following objectives:

- (a) **Sectoral Coverage:** All sub-sectors (commission agents' services, wholesale trade services, retailing services and franchising).<sup>1</sup>

Flexibility on an individual WTO Member basis would be discussed concerning the exclusion of a limited number of sensitive products. Any such exclusion shall be clearly specified in the Schedule of Specific Commitments.

- (b) **Modes 1, 2 and 3:** Provide market access and national treatment with no limitations, except that, on an individual basis, flexibility would be discussed concerning:

- (i) A transition period for a maximum of [X] years.
- (ii) A limited number of non-discriminatory economic needs tests with clear, specific main criteria as regards mode 3.
- (iii) A limited number of other exceptions.

- (c) **Mode 4:** Provide market access and national treatment with no limitations beyond those indicated in the horizontal section, ensuring in particular access for Business Visitors and Intra-Corporate Transferees.<sup>2</sup>

- (d) **Scheduling of Commitments**

When scheduling commitments in this sector, Members' attentions are drawn to the agreed objectives in paragraph 1f(i) of Annex C to the Hong Kong Ministerial Declaration that Members should ensure, to the maximum extent possible, clarity, certainty, comparability and coherence in the scheduling and classification of commitments through adherence to, *inter alia*, the Scheduling Guidelines pursuant to the Decision of the Council for Trade in Services adopted on 23 March 2001.

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<sup>1</sup> *Applicable CPC numbers by sub-sector:*

*Commission agents' services*

*CPC 621, 61111, 6113, 6121*

*Wholesale trade services*

*CPC 622, 61111, 6113, 6121*

*Retailing services*

*CPC 631, 632, 61112, 6113, 6121, 613*

*Franchising*

*CPC 8929*

<sup>2</sup> *For this element, the United States of America is not a requesting Member, but shall be deemed a recipient.*