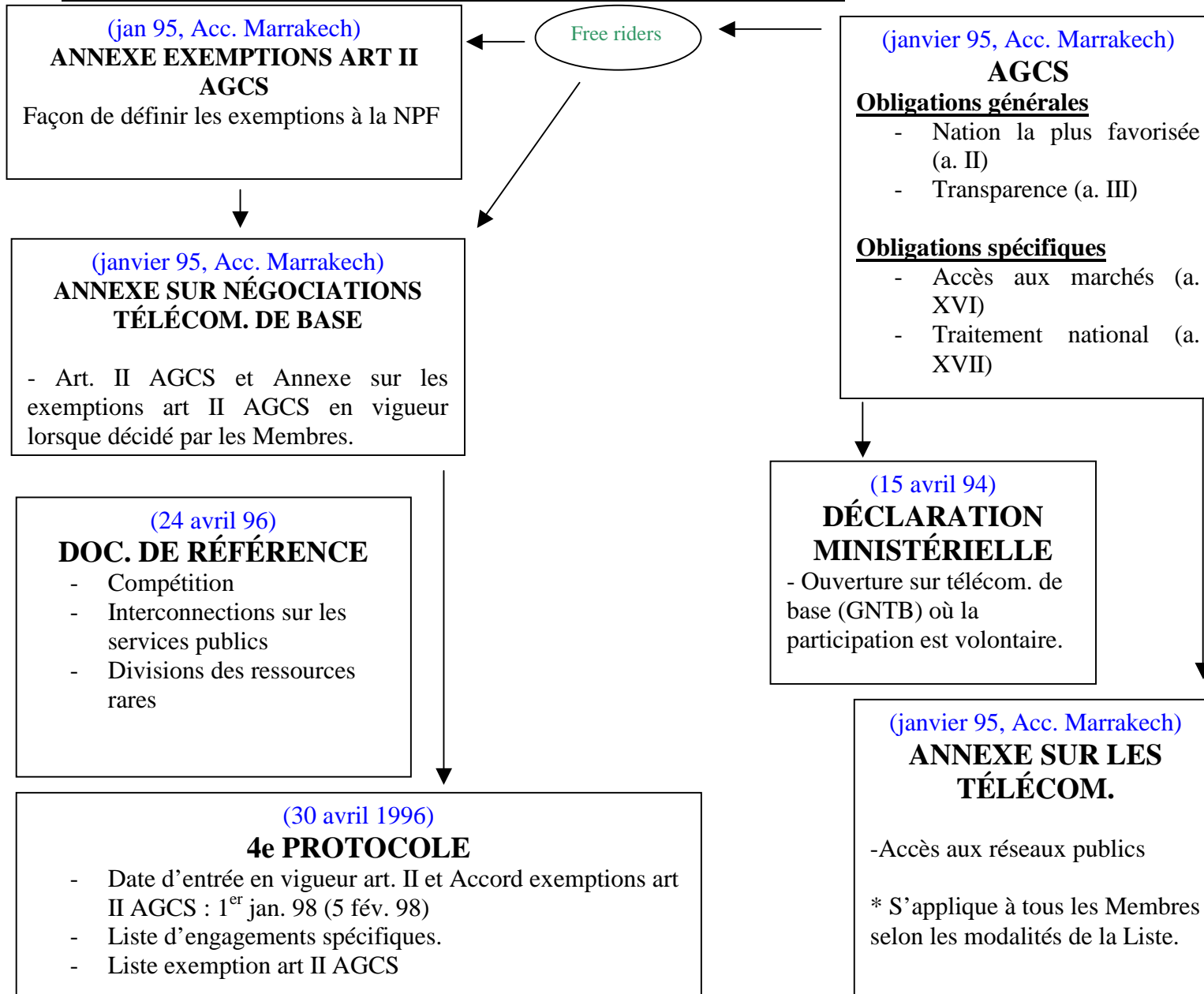


ANNEXE 1 : Tableau sur l'historique des négociations



ANNEXE 2 : Engagements du Canada, des Etats-Unis et du Mexique.

Engagements spécifiques du Canada 15 avril 1994 (GATS/SC/16) (extraits)

[Liste d'engagements en regard de l'AGCS]

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			

[...]

C*. <u>Telecommunication services, of which:</u> Enhanced or value-added services, for the supply of which the underlying telecommunication s transport facilities are leased from providers of public telecommunication s transport networks; these include:	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	
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Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			
<ul style="list-style-type: none"> <li data-bbox="115 354 495 423">h) Electronic mail (CPC 7523*) <li data-bbox="115 464 495 534">i) Voice mail (CPC 7523*) <li data-bbox="115 574 495 678">j) On-line information and database retrieval (CPC 7523*) <li data-bbox="115 719 495 823">k) Electronic data interchange (EDI) (CPC 7523*) <li data-bbox="115 847 495 1062">l) Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523*) <li data-bbox="115 1086 495 1190">m) Code and protocol conversion (CPC n.a.) <li data-bbox="115 1214 495 1399">n) On-line information and/or data processing (including transaction processing) (CPC 843*) 			

Engagements spécifiques du Canada, (11 avril 1997, GATS/SC/16/Suppl.3) (extraits)

[Engagements pris en regard du Quatrième protocole]

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector (GNS/W/120 Coding)	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
2C Telecommunications Services*, **	<p>(1) None, other than:</p> <p>Routing of basic telecommunications services between points within Canada, and between Canada and points outside of Canada, is regulated to promote the use of Canadian transmission facilities, except that routing of:</p> <ul style="list-style-type: none"> - mobile satellite services will be unrestricted as of January 1, 1998 between points in Canada, and between Canada and points in the United States; - all mobile satellite services will be unrestricted as of October 1, 1998; - all international services will be unrestricted as of December 31, 1999, except for fixed satellite services between Canada and points in the United States; - satellite services will be unrestricted as of March 1, 2000. <p>(2) None</p>	(1) None	<p>Canada undertakes the obligations contained in the reference paper attached hereto.</p>
2C(a) Voice telephone services			
2C(b) Packet-switched data transmission services			
2C(c) Circuit-switched data transmission services			
2C(d) Telex services			
2C(e) Telegraph services			
2C(f) Facsimile services			
2C(g) Private leased circuit services			
2C(o) Other - Mobile services			
<p>*Excluding services regulated under the <i>Broadcasting Act</i> and measures affecting such services.</p>		(2) None	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector (GNS/W/120 Coding)	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>**Excluding telecommunications services supplied for the transmission of services regulated under the <i>Broadcasting Act</i> where such services are intended for direct reception by the public.</p>			
	<p>(3) None, other than:</p> <p>Foreign investment in facilities-based telecommunications service suppliers is permitted up to a cumulative total of 46.7% of voting shares, based on 20% direct investment and 33% indirect investment. Such suppliers must be controlled in fact by Canadians. Except that:</p> <ul style="list-style-type: none"> - foreign investment will be allowed up to 100% as of October 1, 1998 for operations conducted under an international submarine cable licence; - mobile satellite systems owned and controlled up to a level of 100% by a foreign service provider may be used by a Canadian service provider to provide services in Canada; - fixed satellites owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and all points outside of Canada, except in the United States, as of December 31, 1999; 	<p>(3) None, other than:</p> <p>At least 80 percent of the members of the board of directors of facilities-based telecommunications service suppliers must be Canadian.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector (GNS/W/120 Coding)	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>- fixed satellites owned and controlled up to a level of 100% by foreign service providers may be used to provide services between points in Canada and between Canada and points in the United States, as of March 1, 2000.</p> <p>Facilities-based telecommunications service suppliers that exceeded the permissible cumulative foreign investment level cited above on July 22, 1987 and continue to exceed this level may be subject to restrictions.</p>		
	<p>Up to 100% foreign investment is allowed in service providers of basic telecommunications services supplied on a resale basis.</p> <p>On October 1, 1998, Teleglobe Canada will no longer be authorized to be the sole Canada-overseas facilities-based telecommunications service supplier.</p> <p>For Teleglobe Canada, a "non-resident" carrier or "associate" as defined in the Teleglobe Canada Reorganization Act may, on October 1, 1998, hold voting shares up to the permissible cumulative foreign investment level of 46.7% as cited above.</p> <p>On October 1, 1998, the right to obtain a licence to land a submarine cable will no longer be limited.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector (GNS/W/120 Coding)	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Nova Scotia: no person may vote more than 1,000 shares of Maritime Telegraph and Telephone Ltd.</p> <p>Manitoba: no person or members of any one group of associated persons may beneficially own, other than by way of security, more than 10% of the total number of voting shares of Manitoba Telecom Services Inc. or of an affiliate.</p>		
	<p>On March 1, 2000, Telesat Canada will no longer be authorized to be the sole operator in Canada of fixed satellite space segment facilities used to provide national and Canada-U.S. fixed satellite services.</p> <p>Until March 1, 2000, licences to operate earth stations for the provision of Canada-U.S. fixed satellite services may be limited.</p> <p>The use of pay telephones to provide services on a resale basis and to provide local services is not permitted.</p> <p>Competition in the provision of interexchange voice telephone service in the serving areas of Northwestel Inc., Ontario Northland Transportation Commission, and Prince Rupert City Telephones, may be limited.</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector (GNS/W/120 Coding)	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Competition in the provision of local wireline telephone services in the serving areas of Northwestel Inc., Ontario Northland Transportation Commission, Prince Rupert City Telephones, Telus Communications (Edmonton) Inc. and the other independent telephone companies listed in CRTC Telecom Public Notice 95-15, may be limited.</p>		
	<p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(4) Unbound, except as indicated in the horizontal section.</p>	

[NOTE: Engagements pris relativement au *Document de référence*.]

Engagements spécifiques des États-Unis 15 avril 1994 (GATS/SC/90) (extraits)

[Liste d'engagements en regard de l'AGCS]

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			

[...]

<p>C. TELECOMMUNICATIONS</p> <p>Enhanced Telecommunications Services, as defined by the US Federal Communications Commission in Section 64.702 of the Commission's Rules and Regulations: services, offered over common carrier transmission facilities (i.e., public telecommunications transport services) which employ computer processing applications that:</p> <p>i) act on the format, content code, protocol or similar aspects of the subscriber's transmitted information; or</p> <p>ii) provide the subscriber additional, different, or restructured information; or</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound, except as indicated in the horizontal section</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) None</p>	
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Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			
iii) involve subscriber interaction with stored information.			
<p>Includes the following:</p> <ul style="list-style-type: none"> h) Electronic Mail i) Voice Mail j) On-line Information and Data Base Retrieval k) Electronic Data Interchange l) Enhanced/Value-added Facsimile Services (including store and forward, store and retrieve) m) Code and Protocol Conversion n) On-line Information and/or Data Processing (including transaction processing) o) Other c) Radio & Television Services 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound, except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) None 	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR-SPECIFIC COMMITMENTS			
d) Radio and Television Transmission Services	1) None 2) None 3) A single company or firm is prohibited from owning a combination of newspapers, radio and/or TV broadcast stations serving the same local market.	1) None 2) None 3) None	
	Radio and television licences may not be held by: a foreign government; a corporation chartered under the law of a foreign country or which has a non-US citizen as an officer or director or more than 20 per cent of the capital stock of which is owned or voted by non-US citizens; a corporation chartered under the laws of the United States that is directly or indirectly controlled by a corporation more than 25 per cent of whose capital stock is owned by non-US citizens or a foreign government or a corporation of which any officer or more than 25 per cent of the directors are non-US citizens. 4) Unbound, except as indicated in the horizontal section. In addition, US citizenship is required to obtain radio and television licences.	4) None	

Liste des engagements spécifiques des États-Unis (11 avril 1997)
(GATS/SC/90/Suppl.2)

[Engagements pris en regard du Quatrième protocole]

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
2.C.TELECOMMUNICATIONS SERVICES*: 2.C.a. Voice services 2.C.b. Packet-switched data transmission services 2.C.c. Circuit-switched data transmission services 2.C.d. Telex services 2.C.e. Telegraph services 2.C.f. Facsimile services 2.C.g. Private leased circuit services	(1) None (2) None (3) None, other than - Comsat has exclusive rights to links with Intelsat and Inmarsat. - Ownership of a common carrier radio license: Indirect: None Direct: May not be granted to or held by (a) foreign government or the representative thereof (b) non-U.S. citizen or the representative of any non-U.S. citizen	(1) None (2) None (3) None	The United States undertakes the obligations contained in the reference paper attached hereto.
2.C.o. Other	(c) any corporation not organized under the laws of the United		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>Mobile Services</p> <p>Analogue/Digital cellular services</p> <p>PCS (Personal Communications services)</p> <p>Paging services</p> <p>Mobile data services</p> <p>*Excluding one-way satellite transmissions of DTH and DBS television services and of digital audio services</p>	<p>States or</p> <p>(d) U.S. corporation of which more than 20% of the capital stock is owned or voted by a foreign government or its representative, non-U.S. citizens or their representatives or a corporation not organized under the laws of the United States.</p> <p>(4) Unbound except as indicated by horizontal commitments</p>	<p>(4) Unbound except as indicated by horizontal commitments.</p>	

NOTE: Engagements pris relativement au *Document de référence*.

Liste d'exemptions des États-Unis à l'article II (nation la plus favorisée) (11 avril 1997) (GATS/EL/90/suppl.2)

Sector or subsector	Description of measure indicating its inconsistency with Article II	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.

Engagements spécifiques du Mexique (15 avril 1994) (GATS/SC/56) (extraits)

[Liste d'engagements en regard de l'AGCS]

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>C. <u>Telecommunication services</u></p> <p>o) Other telecommunication services. Value-added services (telecommunication services which utilize computerized processing systems that: a) affect the format, content, protocol or similar aspects of the information transmitted to the user; b) give the client additional, different or restructured information; or c) involve interaction between the user and the information stored).</p>	<p>1) A permit is required in order to provide services using radio-electric space. A permit from the Ministry of Communications and Transport (SCT) is required in order to establish private networks and supply value-added services. The central equipment and systems for providing special telecommunication services must be located in Mexican territory.</p> <p>2) None</p> <p>3) Foreign investment only up to 49 per cent of the registered capital of enterprises. A permit is required in order to provide services using radio-electric space. A permit from the SCT is required to establish private networks and supply value-added services. There is an exclusive provider of computerized airline reservation services. Thirty per cent of excess capacity of private circuits</p>	<p>1) None</p> <p>2) None</p> <p>3) None</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	may be rented or sold. A permit from the SCT is required for cross-border connections, and long-distance services for third users are prohibited.		

Liste des engagements spécifiques du Mexique (11 avril 1997)
(GATS/SC/56/Suppl.2)

[Engagements pris en regard du Quatrième protocole]

MÉXICO - LISTA DE COMPROMISOS ESPECÍFICOS

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
<p>2.C. SERVICIOS DE TELECOMUNICACIONES</p> <p>Los servicios de telecomunicaciones, suministrados por una red pública de telecomunicaciones basada en infraestructura (alámbrica y radio-eléctrica) a través de cualquier medio tecnológico actual, incluidos en las literales a), b), c), f), g) y o).</p> <p>Se excluyen los servicios de radiodifusión, de televisión por cable, de transmisión satelital de DTH y DBS, y de audio digital.</p>	<p>1) Ninguna, excepto la siguiente: el tráfico internacional debe ser enrutado a través de las instalaciones de una empresa con una concesión otorgada por la Secretaría de Comunicaciones y Transportes (SCT).</p> <p>2) Ninguna</p> <p>3) Se requiere concesión¹ otorgada por SCT. Sólo empresas constituidas conforme a la ley mexicana pueden obtener tal concesión. Las concesiones sobre bandas de frecuencias del espectro para usos determinados se otorgarán mediante licitación pública.</p> <p>Los gobiernos extranjeros no podrán participar en una empresa constituida conforme a las leyes mexicanas, ni</p>	<p>1) Ninguna</p> <p>2) Ninguna</p> <p>3) Ninguna</p>	<p>México adopta las obligaciones contenidas en el documento de referencia anexo a la presente.</p>

¹ Concesión: Se refiere al otorgamiento de un título para instalar, operar o explotar una red pública de telecomunicaciones basada en infraestructura.

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
	obtener autorización alguna para prestar servicios de telecomunicaciones.		
	Se permite la participación de la inversión extranjera directa hasta 49 por ciento en una empresa constituida conforme a las leyes mexicanas.		
<p>a. Servicios de telefonía (CCP 75211, 75212)</p> <p>b. Servicios de transmisión de datos con conmutación de paquetes (CCP 7523**)</p> <p>c. Servicios de</p>	<p>Telecomunicaciones de México (Telecomm) tiene los derechos exclusivos para los enlaces con Intelsat e Inmarsat.</p> <p>Los servicios distintos a los de larga distancia internacional que requieran del uso de satélites hasta el año 2002 deberán utilizar infraestructura satelital mexicana.</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p> <p>1) Ninguna, excepto la indicada en 2.C.1).</p> <p>2) Ninguna</p> <p>3) Lo indicado en 2.C.3)</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	<p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p> <p>1) Ninguna</p> <p>2) Ninguna</p> <p>3) Ninguna</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
transmisión de datos con conmutación de circuitos (CCP 7523**)			
f. Servicios de facsímil (CCP 7521**+7529**)	<p>1) Ninguna, excepto la indicada en 2.C.1).</p> <p>2) Ninguna</p> <p>3) Lo indicado en 2.C.3).</p> <p>Se requiere de permiso expedido por SCT para prestar servicio público de facsímil. Sólo empresas constituidas conforme a las leyes mexicanas pueden obtener dicho permiso.</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	<p>1) Ninguna</p> <p>2) Ninguna</p> <p>3) Ninguna</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	
g. Servicios de circuitos privados arrendados (CCP 7522**+7523**)	<p>1) Ninguna, excepto lo indicado en 2.C.1).</p> <p>2) Ninguna</p> <p>3) Lo indicado en 2. C. 3).</p> <p>Los operadores de redes privadas que pretendan explotar comercialmente servicios, deberán obtener concesión otorgada por SCT, adoptando tales</p>	<p>1) Ninguna</p> <p>2) Ninguna</p> <p>3) Ninguna</p>	

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
	<p>redes el carácter de red pública de telecomunicaciones.</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	<p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	
<p>o. Otros</p> <p>- Servicios de localización de personas (CCP75291)</p>	<p>1) Ninguna, excepto lo indicado en 2.C.1).</p> <p>2) Ninguna</p> <p>3) Lo indicado en 2.C.3).</p> <p>4) No consolidado, excepto lo indicado</p>	<p>1) Ninguna</p> <p>2) Ninguna</p> <p>3) Ninguna</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
	por los compromisos horizontales.		
- Servicios de telefonía celular (75213**) en las bandas □A□ y □B□ ²	1) Ninguna, excepto lo indicado en 2.C.1). 2) Ninguna 3) Lo indicado en 2.C.3). Se permitirá inversión extranjera superior al 49% del capital de una empresa, previa resolución favorable de la Comisión Nacional de Inversión Extranjera. 4) No consolidado, excepto lo indicado por los compromisos horizontales.	1) Ninguna 2) Ninguna 3) Ninguna 4) No consolidado, excepto lo indicado por los compromisos horizontales.	
- Comercializadoras ³	1) Ninguna, excepto lo indicado en 2.C.1). 2) Ninguna 3) Ninguna excepto: Se requiere permiso otorgado por SCT. Sólo empresas constituidas conforme a la ley mexicana pueden obtener tal permiso.	1) Ninguna 2) Ninguna 3) Ninguna	

² Frecuencias 825-835/870-880 y 835-845/880-890 Mhz.

³ Empresas que, sin ser propietarias o poseedoras de medios de transmisión, proporcionan a terceros servicios de telecomunicaciones mediante el uso de capacidad arrendada de un concesionario de redes públicas de telecomunicaciones.

Modos de suministro: 1) Suministro transfronterizo 2) Consumo en el extranjero 3) Presencia comercial 4) Presencia de personas físicas

Sector o subsector	Limitaciones al acceso a los mercados	Limitaciones al trato nacional	Compromisos adicionales
	<p>Los gobiernos extranjeros no podrán participar en una empresa constituida conforme a las leyes mexicanas, ni obtener autorización alguna para prestar servicios de telecomunicaciones.</p> <p>Salvo aprobación expresa de la SCT, los concesionarios de redes públicas de telecomunicaciones no podrán participar, directa o indirectamente, en el capital de una empresa comercializadora.</p>		
	<p>El establecimiento y operación de las empresas comercializadoras deberá sujetarse invariablemente a las disposiciones reglamentarias respectivas. SCT no otorgará permisos para el establecimiento de una comercializadora hasta emitir la reglamentación correspondiente.</p> <p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	<p>4) No consolidado, excepto lo indicado por los compromisos horizontales.</p>	

[NOTE: Engagements pris relativement au *Document de référence*.]

