

**Council for Trade in Services
Special Session**

ENERGY SERVICES

Information Note by the Secretariat¹

I. INTRODUCTION

1. Many delegations commented on the importance of the energy sector as the backbone of every economy. Hence, the main objective of the negotiations was to contribute to the development of a reliable and efficient energy services sector. This would help to lower energy prices and, thus, meet a fundamental requirement for social and economic development. In this context, one delegation referred to the Preamble to the WTO Agreement and, in particular, the objective of "allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with [Members'] respective needs and concerns at different levels of economic development". In the view of several delegations, liberalization in the energy sector should and could benefit small and medium size enterprises as well.

2. Some delegations noted that countries that had opened the sector to competition had experienced substantial decreases in electricity and gas prices without undermining important public services obligations. Other delegations said that the negotiations should take into consideration that there was no perfect model for the successful introduction of regulatory reform in the energy sector; countries had often progressed on a trial and error basis. Many delegations stressed that liberalization had to be accompanied by the establishment of appropriate competition and regulatory frameworks to ensure effective competition, taking into account national policy objectives.

3. Several delegations noted that liberalization in the sector was advancing at a different pace, and that not all countries had reached the same level of competition in energy markets. In a number of countries, governments still played a role as suppliers of energy services. Hence, differences in the level of commitments were to be expected.

II. CLASSIFICATION ISSUES

A. NEED FOR, AND FORM OF, A CLASSIFICATION OR OTHER TYPE OF INSTRUMENT

4. Many Members shared the view that definitions and classification issues in energy services deserved close consideration. Lack of clarity created uncertainty over the application of GATS rules. Various Members expressed the view that an improved classification of energy services was a prerequisite for undertaking specific commitments. Several delegations called for a classification reflecting the commercial reality of the energy sector.²

¹ This note has been prepared upon a request by Members at the meeting of the Special Session of the Council for Trade in Services held on 1 July 2005. Its aim is to assist delegations and capital-based officials in their assessment and consideration of sector- and mode-specific issues raised in the negotiations. It has been agreed that the scope of the note should exclude analysis of existing commitments and of offers submitted in current negotiations, nor should it contain additional information from external sources or from the Secretariat. The content should not be used in dispute settlement proceedings.

The document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

² See, for instance, S/CSC/W/42/Rev.1/Corr.1.

5. Several Members stressed that it was important to take a broad view of the energy sector and include all services involved in the supply chain: exploration, extraction, production, generation, transportation, transmission, distribution, marketing and consumption, i.e. sale to end-consumers.³ Some delegations added that off-shore activities should be included as well, as a significant share of the world production of oil and gas took place off-shore; highly specialized equipment and services for offshore resources identification, exploration, extraction, production and transportation had been developed.⁴

6. It was noted that W/120 did not include a distinct comprehensive section for energy services, but three separate sub-sectors which were directly related to energy activities, in "Business services" (two sub-sectors) and "Transport services". In addition, a number of energy-related activities which were not exclusive to the energy sector, such as transport, distribution, construction, consulting, engineering, etc., were covered by other sectors and sub-sectors of W/120.

7. Several proposals were intended to help improve the identification and/or classification of energy services.⁵ It was noted that these proposals differed, in particular with respect to the level of disaggregation, but also in terms of the activities covered. In this respect, some delegations argued that an excessively detailed classification of energy services might create an unbalance in W/120, where the classification of other sectors was less disaggregated. Several delegations were of the view that a detailed classification was more friendly for developing countries because it allowed them to make commitments at a more specific level of detail, based on their export capacity and import needs.

8. Several delegations were in favour of developing a checklist or index which could be used as an *aide-mémoire* during the negotiations, in order to help to clarify where the different sub-categories of energy services were to be found in W/120.⁶

9. Several Members were of the view that W/120 was not adapted to the present conditions of the energy services market and indicated their readiness to consider possible improvements to W/120; however, any modification should not impair the legal certainty of existing commitments and should preserve the mutually exclusive nature of the services listed in W/120. One delegation proposed to consider moving the three energy specific sub-categories already contained in W/120 into a new energy services division; should it be determined that some energy services were not found in W/120, those services could be added to this new division. Views differed on the desirability of creating a new division for energy in W/120. Some Members were of the view that relevant services were already covered in W/120, in particular for oil and gas services, and did not feel any change was necessary.⁷ It was also noted that the Scheduling Guidelines (S/L/92) provided Members with the flexibility to achieve commitments in this sector.⁸

10. Several delegations noted that the revised CPC (version 1.0) had been improved as compared to CPC prov. since it contained a separate division 69 dealing with electricity, gas, water and steam. It was suggested to consider the possibility of relying on CPC 1.0 for the classification of energy services. Other delegations cautioned against using different versions of the CPC.

³ See S/CSS/W/24; S/CSS/W/42/Suppl.3; S/CSS/W/59; S/CSS/W/88.

⁴ See, for instance, S/CSS/W/59.

⁵ See, for instance, S/CSS/W/24; S/CSS/W/42/Suppl.3; S/CSS/W/58; S/CSS/W/59; S/CSS/W/60; S/CSS/W/144; S/CSC/W/27; and S/CSC/W/42/Rev.1 + Corr.1. See also JOB(03)/89. Pursuant to the request made by Venezuela at the informal meeting of 5 July 2005, its negotiating proposal on energy services (S/CSS/W/69 + Add.1 & 2) has not been taken into account in this Note.

⁶ See, for instance, S/CSS/W/42/Suppl.3; S/CSS/W/58; S/CSS/W/59.

⁷ See, in particular, S/CSS/W/58.

⁸ On this point, see Room Document dated 1 July 2005.

11. Some delegations proposed to distinguish between core and non-core energy services; this distinction would be based on a convention among Members. An activity could be considered as "core" if, for instance, the service was an essential part of the chain of supply of that sector, i.e. without that services the sector would not be able to function; non-core services supported the chain and were closely connected to the process. This distinction was not exclusive to the energy discussion, but was also relevant for other sectors, such as environmental services. Other delegations expressed doubts as, in their view, this distinction would entail too much subjectivity.⁹

12. Potentially relevant issues:

- (a) Should a separate division be included in W/120 for energy services?
- (b) Should a tool (index, checklist) be developed for energy services, which could be used on a voluntary basis to facilitate the negotiations?
- (c) What role, if any, should CPC 1.0 play?
- (d) Is there any other option which could increase the "visibility" of energy services in offers and, later, in schedules?

B. THE SEPARATION BETWEEN GOODS AND SERVICES

13. There seems to be a generally-shared view that the production of energy does not fall under the GATS, as it is a manufacturing activity pertaining to goods trade. However, an important question is where and how to draw the line between production-related services, which would fall under the GATS, and production itself, which would not be covered by the GATS.¹⁰ For instance, there are diverging views as to whether refining of oil, or liquefaction and gasification are production activities or only related to production.¹¹

14. Diverging views were also expressed as to whether storage activities should be defined as separate energy activities. According to one delegation, storage was part of the upstream production of oil and gas and, thus, should not be considered as a separate energy service; the question remained open, however, for downstream oil and gas.

15. Several delegations felt that these issues deserved further consideration. It was also noted that Members should seek to exclude from the GATS activities that are already covered under other trade agreements. Some Members noted that this issue touched upon the basic relationship between GATT and GATS, which should be addressed generally rather than on a sector-by-sector basis. Some Members also considered this to be a sectoral example of the systemic issue highlighted in the Secretariat's paper on "Production on a fee or contract basis"¹².

16. Potentially relevant issues:

- (a) Would it be helpful to develop a common distinction between production-related services and production itself? Or should this issue be addressed in individual schedules, as necessary?

⁹ See, in particular, S/CSS/W/42/Suppl.3;

¹⁰ See, for instance, S/CSS/W/42/Suppl.3 Annotated Agenda by the Chairman (CSC), Room Document, 12 July 2005.

¹¹ See, for instance, S/SCS/W/42/Rev.1 and JOB(04)/165.

¹² See "Production on a Fee or Contract Basis", Note by the Secretariat, Job 3973/Rev.1, 29 June 2000.

- (b) The production of goods on own account, i.e. performed by an entity which owns the raw material, is in principle not covered by the GATS. However, the situation appears less clear if activities are performed "on a fee or contract basis", i.e. by an entity which does not own the raw material. Would it be worth working towards a decision on whether production on a fee or contract basis is covered by the GATS?

C. ENERGY-RELATED SERVICES WHICH MAY NOT HAVE AN ENTRY IN W/120

17. It has been pointed out that a few specific energy-related activities appear not to have an appropriate entry in W/120. For instance, no relevant category exists in either W/120 or the CPC for, respectively, wholesale trade services and retailing services of electricity, town gas, steam and hot water. Also, W/120 does not refer to "Retail sales of motor fuel" (CPC 613).

18. Diverging views were also expressed with respect to the precise scope of the three energy-related entries contained in W/120. For instance, questions persist as to whether transmission and distribution of electricity are included in "Services incidental to energy distribution" (CPC 887). In addition, it was noted that the sub-sector "Services incidental to mining" also covers services related to the production or extraction of non-energy products. Moreover, its focus is on oil and gas, which would mean that other energy-products, such as coal, are not included.

19. Potentially relevant issues:

- (a) Where should wholesale trade services and retailing services of electricity, town gas, steam and hot water be understood to be covered? Should commitments for these activities be added after existing commitments for wholesale trade (4.B) and retailing (4.C)?
- (b) Given inconsistencies between sector names and corresponding CPC numbers in W/120, should Members be encouraged to specifically refer to "Retail sales of motor fuel" when undertaking commitments on retailing services?¹³
- (c) Should transmission and distribution of electricity be covered under CPC 887? If not, where else?
- (d) What activities are covered under services "incidental" to energy distribution? Would, for instance, metering and billing be covered under CPC 887?
- (e) Should a distinction be made, for the purpose of undertaking commitments under "Services incidental to mining", between production and extraction of energy products, on the one hand, and non-energy products, on the other hand?
- (f) The scope of CPC 883 ("Services incidental to mining") is on oil and gas fields. Where are services relating to other energy products (coal, for instance) covered?

D. NEUTRALITY OF THE ENERGY SOURCE

20. Various Members seem to favour a source-neutral classification for energy services, which would apply to all energy sources, except where an activity was related to a specific source (frequency control was given as an example), thus making a distinction inevitable.¹⁴ Other Members questioned this approach, noting that a classification based on energy sources would better reflect domestic market structures and regulatory distinctions.

¹³ See also Information Note on Distribution Services, section on "Classification Issues".

¹⁴ See, for instance, S/CSS/W/42/Suppl. 3.

21. Potentially relevant issues:

- (a) Should a classification/checklist make distinctions according to the energy source? Or should this be left to Members' own assessment in the scheduling process?
- (b) In the absence of specifications, is it understood that an energy-related commitment covers all energy sources?

III. SCHEDULING ISSUES

22. To the knowledge of the Secretariat, no scheduling issue specific to energy services has been raised.

IV. ISSUES RELATING TO ARTICLES XVI AND XVII

23. Many delegations stressed the importance of increasing market access and national treatment commitments in energy services.

24. Several Members mentioned the existence of market access and national treatment restrictions similar to those in other sectors, including nationality and residency requirements, restrictions on foreign investment, unspecified economic needs tests, the existence of exclusive rights and monopolies, inability to provide cross-border electronic information and transactions, discriminatory treatment of foreign providers, restrictions on the legal forms of doing business, arbitrary business and licensing requirements, and an opaque regulatory framework. Measures at local government level might also affect market access and national treatment. Various delegations pointed to restrictions concerning the temporary stay of specialists and professionals employed by energy services companies. It was also proposed that negotiations in the energy sector should ensure the free movement of electronic information flows and transactions.¹⁵

25. Several delegations also referred to restrictions (e.g. high duties, requirements of local procurement) for the entry of equipment and material necessary for the supply of energy services, which constituted a major barrier to energy services trade. It was suggested that the temporary admission of such equipment and material should be facilitated. Another proposed option would be to eliminate tariffs on energy-related goods.¹⁶

26. One proposal noted that the energy sector was highly subsidized, which limited the potential for competitive and open markets.¹⁷ Various delegations, thus, sought further clarification as to what type of analysis should be done in this respect. In particular, it was important to examine what type of subsidies were being involved since various types, such as subsidization of energy products used as industrial inputs, were already covered by other WTO disciplines.

27. According to one delegation, the broad negotiating objectives for the energy sector should be the following: first, consider scheduling market access commitments under existing GATS disciplines for services currently open to foreign competition. Second, facilitate market entry for foreign service providers where access was currently permitted, but government policies or practices effectively inhibited or restricted foreign providers. Third, consider exploring opportunities for further liberalization where market access was not permitted.

¹⁵ See S/CSS/W/24; S/CSS/W/42/Suppl.3; S/CSS/W/58; S/CSS/W/60.

¹⁶ On this issue, see in particular, S/CSS/W/24; S/CSS/W/42/Suppl.3; S/CSS/W/58.

¹⁷ See, for instance, S/CSS/W/88.

28. It was also suggested that, since governments continued to control directly, own or reserve to themselves a significant portion of energy services, consideration should be given to whether market access commitments might need to be accompanied by government procurement disciplines to ensure meaningful access.

29. Potentially relevant issue:

- (a) Would it be promising to undertake multilateral work on (some of) these market access and national treatment limitations or should this be left to the request/offer process?

B. TECHNOLOGICAL NEUTRALITY IN ENERGY SERVICES

30. It was proposed that, in order to ensure that energy service providers can use the best available technology, market access commitments be technologically-neutral, i.e. should be made without regard for the technology used to provide energy services.¹⁸

31. Several delegations sought further clarification as to what the concept of technological neutrality entailed in this context. For instance, did it mean that countries would not be entitled to require use of a specific technology when granting a license to providers? Some felt that countries should remain free to choose the proper technology to be imported. Other delegations noted that technological neutrality was not a horizontal principle in the GATS, but had been discussed in a very specific context during the negotiations on basic telecommunications.

32. Potentially relevant issue:

- (a) What does the tenet of technological neutrality imply in energy services, in particular in the context of mode 3?

C. MONOPOLIES IN THE ENERGY SECTOR

33. One delegation raised the issue of "official or *de jure* monopoly", noting that in a number of countries the government retained ownership or control over the energy resource or over some services in the chain of energy services. It was stressed that the GATS did not require privatization of existing monopolies.

34. In discussions in the Special Session, one delegation indicated that in monopoly situations, such as in certain segments of the electricity sector, market access commitments might be scheduled as follows: (i) grant the right to invest in an existing monopoly, which implied elimination of foreign investment restrictions; (ii) permit investment in, or operation of, a competing service supplier after a date specified in the schedule, which would eliminate a cartel or existing monopoly rights; (iii) where market access had been granted in some but not all energy market activities, Article VIII would prevent an official monopoly provider from abusing its position to gain a competitive advantage in a market outside the scope of its monopoly, for instance, through control of energy distribution networks; (iv) for transmission and distribution services, which were likely to function as natural monopolies, GATS commitments could be scheduled, perhaps through a reference paper, to provide access to and use of central transmission or distribution facilities upstream and downstream, and to make available to international competition contracts to construct and to operate the systems.

¹⁸ See S/CSS/W/24.

35. Potentially relevant issues:

- (a) Should the situation of monopolies and state-owned enterprises in the energy sector, in particular definitional issues, be further examined?

V. REGULATORY ISSUES (INCL. PROPOSALS RELATING TO ART. XVIII)

A. THE RIGHT TO REGULATE

36. Many delegations noted that the energy sector was complex and highly regulated, at the national and sub-national levels, due to important public policy considerations. Therefore, the right of Members to organize and regulate the energy sector in the public interest and in accordance with their specific situation must be recognized. Members must retain the necessary flexibility to regulate in order, *inter alia*, to ensure security of supply, establish performance and quality controls, maintain public service obligations, protect consumer interests and the environment, promote conservation of natural resources, and pursue cultural policies. Several delegations referred to the particular need to regulate for developing countries to strengthen their domestic capacity and achieve development objectives.¹⁹

37. Several delegations stressed that liberalization and competition did not mean to completely unregulate markets; in fact, liberalization often implied re-regulation. While recognizing that the services negotiations did not call into question the rights of governments to regulate, several delegations were of the view that it was important that regulations be clearly defined, transparent and implemented in a fair manner.

B. A REFERENCE PAPER FOR ENERGY SERVICES?

38. Some delegations noted similarities between the telecommunication and the energy sectors: highly regulated markets characterized by large incumbent suppliers and undergoing de/re-regulation. Market access and national treatment commitments, while necessary, might not be sufficient to ensure liberalization. Hence, additional disciplines might be needed in order to improve the commercial value of specific commitments.

39. Two delegations²⁰ proposed to consider a Reference Paper for energy services, modeled on the Paper for telecommunication services. It would address, for instance: transparency, non-discriminatory third-party access to and interconnection with networks and grids, independent regulator, non-discriminatory objective and timely procedures for the transportation and transmission of energy, and requirements preventing certain anti-competitive practices for energy services in general. It was noted that non-discriminatory access to public energy transportation facilities, such as power grids, could also be scheduled as additional commitments. Another delegation proposed to consider the effectiveness of a framework for domestic regulation, which would contribute to the creation of a competitive environment, including non-discriminatory, fair and transparent use of the networks.²¹

40. Other delegations said that additional disciplines should not be considered before energy services had been clearly identified. Some delegations, while agreeing that there were important similarities between telecommunication and energy services, also stressed existing differences, in terms, for instance, of possible impacts on the environment or issues related to security of supply and energy efficiency.

¹⁹ The right to regulate was discussed in particular in S/CSS/W/42/Suppl.3; S/CSS/W/58; S/CSS/W/59; S/CSS/W/60; and S/CSC/W/42/Rev.1/Corr.1.

²⁰ See S/CSS/W/24 and S/CSS/W/59.

²¹ S/CSS/W/42/Suppl.3.

41. Potentially relevant issues:

- (a) Should further consideration be given to a Reference Paper for energy services? Or should this be left to individual Members scheduling decisions?
- (b) Which elements from the telecommunication Reference Paper could be relevant for the energy sector? Which additional elements should be included?

VI. OTHER RELEVANT ISSUES AND QUESTIONS RAISED IN NEGOTIATING PROPOSALS

A. OWNERSHIP OF NATURAL RESOURCES

42. In many countries, governments hold in trust natural resources for the public. Many delegations said that ownership of natural resources remained outside the scope of the negotiations. Some added this concept entailed access to, and use of, natural resources.²²

43. Potentially relevant issue:

- (a) It is necessary to clarify the relationship between specific commitments and ownership of natural resources?

B. THE QUESTION OF NUCLEAR ENERGY

44. It was suggested that nuclear energy deserved special attention. Because of its specificity, nuclear trade is normally subject to international agreements, or to particular provisions in more general agreements. Therefore, it cannot be associated with energy trade in general.²³

45. Potentially relevant issues:

- (a) Should services involving nuclear energy be subject to specific provisions under the GATS? Or do GATS Article XIV and XIV *bis* offer sufficient scope for action?

C. ISSUES RELATED TO GATS ARTICLES IV AND XIX

46. Many delegations noted a close link between energy and development.²⁴ With a view to contributing to sustainable development, liberalization of energy services should help to increase the supply capacity of economic operators (industries, enterprises) in order to promote growth. It should also improve general access to energy services in order to enhance the standard of living. As stipulated in GATS Article IV, negotiations should increase the participation of developing countries in international trade in services through the strengthening of their domestic capacity. Opening of markets should also facilitate transfer of technology and know-how to developing countries. Negotiations should also promote capacity building of services providers in developing countries, in particular of SMEs.

²² See documents S/CSS/W/24; S/CSS/W/42/Suppl.3; S/CSS/W/59; S/CSS/W/144; S/CSC/W/42/Rev.1/Corr.1; and Room Document dated 1 July 2005.

²³ On this issue, see, for instance, S/CS/W/42/Suppl.3; S/CSS/W/60.

²⁴ See, for instance, S/CSS/W/42/Suppl.3; S/CSS/W/144 and S/CSC/W/42/Rev.1/Corr.1.

47. Negotiations on energy services should accord individual developing country Members the flexibility to open fewer sectors, liberalize fewer types of transactions and to progressively extend their market access in line with their development situation, in accordance with Article XIX of the GATS. It has been proposed to assess the extent to which developing countries benefit from an increased share in trade in energy services, in view of the objectives of GATS Article IV.²⁵

48. According to various delegations, increased trade would facilitate the effective participation of all Members in the supply of energy services. Liberal access conditions enabled service exporters to diffuse their knowledge and technical expertise worldwide, while importers benefited from a broad range of energy services at lesser costs. Energy services were an essential infrastructural service and liberalization would strengthen the efficiency and competitiveness of the overall economy.

49. Potentially relevant issue:

- (a) Should specific work be undertaken relating to the application of GATS Articles IV and XIX in the energy sector?

²⁵ See, for instance, S/CSS/W/144.

ANNEX 1

List of Documents Used

Council for Trade in Services – Special Session

- *Energy Services*, Communication from the United States, S/CSS/W/24, 18 December 2000
- *Negotiation Proposal on Energy Services*, Communication from Japan, S/CSS/W/42/Suppl.3, 4 October 2001
- *Initial Negotiating Proposal on Oil and Gas Services*, Communication from Canada, S/CSS/W/58, 14 March 2001
- *The Negotiations on Trade in Services*, Communication from Norway, S/CSS/W/59, 21 March 2001
- *GATS 2000: Energy Services*, Communication from the European Communities and Their Member States, S/CSS/W/60, 23 March 2001
- *The Negotiations on Trade in Services*, Communication from Chile, S/CSS/W/88, 14 May 2001.
- *Negotiating Proposal on Energy Services*, Communication from Cuba, S/CSS/W/144, 23 March 2002
- *Proposed Guide for Scheduling Commitments on Energy Services in the WTO*, Communication from Chile, The European Communities and Their Member States, Japan and the United States, JOB/03/89, 12 May 2003
- *Statement on Liberalization of Energy Services*, Communication from Australia, Canada, European Communities, Japan, Norway, The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States, Room document, 1 July 2005
- Council for Trade in Services – Special Session, Report of the meeting held on 28, 29 and 30 March 2001, Note by the Secretariat, S/CSS/M/8
- Council for Trade in Services – Special Session, Report of the meeting held on 14 and 17 May 2001, Note by the Secretariat, S/CSS/M/9
- Council for Trade in Services – Special Session, Report of the meeting held on 9 and 12 July 2001, Note by the Secretariat, S/CSS/M/10
- Council for Trade in Services – Special Session, Report of the meeting held on 5, 8 and 12 October 2001, Note by the Secretariat, S/CSS/M/12
- Council for Trade in Services – Special Session, Report of the meeting held on 3 and 6 December 2001, Note by the Secretariat, S/CSS/M/13
- Council for Trade in Services – Special Session, Report of the meeting held on 19 and 22 March 2002, Note by the Secretariat, TN/S/M/1
- Council for Trade in Services – Special Session, Report of the meeting held on 5 and 6 June 2002, Note by the Secretariat, TN/S/M/2
- Council for Trade in Services – Special Session, Report of the meeting held on 28 October and 1 November 2002, Note by the Secretariat, TN/S/M/4
- Council for Trade in Services – Special Session, Report of the meeting held on 3 and 6 March 2003, Note by the Secretariat, TN/S/M/6
- Council for Trade in Services – Special Session, Report of the meeting held on 19 and 22 May 2003, Note by the Secretariat, TN/S/M/7
- Council for Trade in Services – Special Session, Report of the meeting held on 4 and 10 July 2003, Note by the Secretariat, TN/S/M/8
- Council for Trade in Services – Special Session, Report of the meeting held on 6 and 9 October 2003, Note by the Secretariat, TN/S/M/9

- Council for Trade in Services – Special Session, Report of the meeting held on 21, 22 and 25 February 2005, Note by the Secretariat, TN/S/M/14 + Suppl. 1
- Council for Trade in Services – Special Session, Report of the meeting held on 27 and 30 June 2005 and 1 July 2005, Note by the Secretariat, TN/S/M/15

Committee on Specific Commitments

- *Classification of Energy Services*, Communication from the United States, S/CSC/W/27, 18 May 2005
- *Energy Sector Index and the CPC*, Communication from the United States, Job No. 4431 [CSC], 11 July 2000
- Proposal on Classification of Energy Services, Communication from Indonesia, S/CSC/W/42, 22 November 2004, + Rev.1 & Rev.1/Corr.1
- *Comments on the "Proposal on Classification of Energy Services" (S/CSC/W/42)*, Communication from Japan, JOB(04)/165, 22 November 2004
- *Informal Discussion on Classification Issues: Energy Services and Environmental Services*, Annotated Agenda by the Chairman, Room Document, 12 July 2005

- Committee on Specific Commitments, Report of the Meeting Held on 23 and 24 May 2000, Note by the Secretariat, S/CSC/M/15
- Committee on Specific Commitments, Report of the Meeting Held on 11 July 2000, Note by the Secretariat, S/CSC/M/16
- Committee on Specific Commitments, Report of the Meeting Held on 4 October 2000, Note by the Secretariat, S/CSC/M/17
- Committee on Specific Commitments, Report of the Meeting Held on 28 November 2000, Note by the Secretariat, S/CSC/M/18/REV.1
- Committee on Specific Commitments, Report of the Meeting Held on 22 March 2001, Note by the Secretariat, S/CSC/M/19
- Committee on Specific Commitments, Report of the Meeting Held on 9 May 2001, Note by the Secretariat, S/CSC/M/20
- Committee on Specific Commitments, Report of the Meeting Held on 24 October 2002, Note by the Secretariat, S/CSC/M/25
- Committee on Specific Commitments, Report of the Meeting Held on 4 December 2003, Note by the Secretariat, S/CSC/M/31
- Committee on Specific Commitments, Report of the Meeting Held on 22 March 2004, Note by the Secretariat, S/CSC/M/32
- Committee on Specific Commitments, Report of the Meeting Held on 23 June 2004, Note by the Secretariat, S/CSC/M/33
- Committee on Specific Commitments, Report of the Meeting Held on 28 September 2004, Note by the Secretariat, S/CSC/M/34
- Committee on Specific Commitments, Report of the Meeting Held on 25 November 2004, Note by the Secretariat, S/CSC/M/35
- Committee on Specific Commitments, Report of the Meeting Held on 11 February 2005, Note by the Secretariat, S/CSC/M/36
- Committee on Specific Commitments, Report of the Meeting Held on 21 June 2005, Note by the Secretariat, S/CSC/M/37

ANNEX 2

List of directly relevant documents prepared by Other International Organizations

- UNCTAD, *Energy and Environmental Services: Negotiating Objectives and Development Priorities*, New York and Geneva, 2003
 - UNCTAD, *Managing "Request-Offer" Negotiations Under the GATS: The Case of Energy Services*, UNCTAD/DITC/TNCS/2003/5, 23 May 2003, circulated as JOB(03)/141.
-