

Attachment 3 (Trade in Services)

1. Framework

- Transparency: list of all relevant laws and regulations in all sectors to be made public
- Schedule of commitment: all the sectors and sub-sectors in WTO document W/120 will appear in the schedule of commitments.
- Methods of commitments: Obligations such as market access, national treatment, and additional commitments will apply to those sectors and sub-sectors, where commitments are specified in the schedule of commitments, and to the extent of such commitments.
- Scope and coverage: The scope and coverage of the Services Chapter will be the same as those of GATS. The Services Chapter will cover liberalization commitments on all modes of supply, including mode 3.
- Standstill Commitments: listing all measures inconsistent with market access and national treatment obligations on a widest possible range of sectors/sub-sectors.
- Modification of Commitments: may be made in accordance with the JTEPA amendment provision and on the basis of the GATS Article XXI method; if the same commitment as a GATS commitment is involved, there will be no “double compensation”
- Emergency Safeguard Measures: consultations with a view to starting negotiations within 6 months after entry into force of JTEPA.
- MFN: a request by one side for MFN treatment after the entry into force of the JTEPA will be considered by the other side. The Japanese investor’s status as the most important investor in terms of volume of foreign direct investment in Thailand acknowledged in a political declaration to be signed at the time of signing of the JTEPA.
- Review Mechanism: for all service sectors to begin within five years after the entry into force of the JTEPA; a separate review for maintenance and repair services, wholesale trade and retailing services and rental services to begin within three years after the entry into force of the JTEPA.

2. Liberalization Commitments

The coverage of standstill commitments

Japan will make standstill commitments in 138 sub-sectors.

Japan’s specific commitments

Comprehensive coverage, including the GATS commitments, in the following sectors:

- Business and professional services
- Communication services
- Construction and related engineering services
- Distribution services
- Educational services
- Environmental services
- Financial services
- Health related and social services
- Tourism and Travel related services
- Recreational, cultural and sporting services
- Transport services

Thailand's specific commitments

In addition to the GATS commitments, coverage includes the following sub-sectors:

- Advertising services
- Logistics consulting services
- Computer and related services
- Maintenance and repair services (household electrical appliances only)
- Wholesale trade and retailing services (certain products only)
- Management consulting services (general management, marketing management, human resources management, production management)