GNSS Market Access

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The United States shall engage with foreign GNSS providers to:

• Encourage compatibility and interoperability
• Promote transparency in civil service provision
• **Enable market access for industry**
Bilateral Efforts on Market Access

• U.S.-Japan cooperation under 1998 Joint Statement
  – Identify potential barriers to the growth of commercial applications and appropriate preventative measures
  – Encourage trade and investment in equipment and services

• U.S.-EU Agreement on GPS-Galileo Cooperation
  – Parties agree to consult before establishing GNSS standards, certification requirements, regulations, mandates
  – Parties affirm non-discriminatory approach with respect to GNSS trade
  – Working group established to consider non-discrimination and other trade related issues
  – Recognizes commitments under World Trade Organization (WTO)
WTO Commitments to Market Access

• General Agreement on Tariffs and Trade (GATT)
  – Most Favored Nation (MFN) status for goods
  – National treatment for goods

• General Agreement on Trade in Services (GATS)
  – MFN for all services
  – National treatment for scheduled services

• Agreement on Technical Barriers to Trade (TBT)
  – No goods discrimination based on non-tariff measures
    (regulations, standards, testing, certification)

• Agreement on Government Procurement (GPA)
  – Open, fair, and transparent conditions of competition in
    government procurement, as scheduled
U.S. Concern: Equipage Mandates

• To promote adoption of their systems, GNSS providers are considering/implementing equipage mandates for various applications
  – Aviation
  – Motor carrier and HAZMAT vehicle tracking
  – Car accident reporting (eCall/ERA-GLONASS)
  – Emergency phone calls (E112)

• U.S. recommends technology-neutral, performance-based standards
  – E.g.: E911 rules specify required accuracy and allow carriers to choose best technical solutions
Impact of GNSS Equipage Mandates on Market Access

- Requiring specific systems arbitrarily prevents or penalizes imports of goods having perfectly functional GNSS capability
  - High-value products (airplanes, cars) and mass-market devices (mobile phones)

- WTO members must comply with TBT obligations in setting technical regulations
  - GPA scheduled commitments also apply to 15 signatories
Problems with Equipage Mandate Compliance

- Manufacturers & users seeking to comply with announced equipage mandates are confused
  - What qualifies as equipage -- carried onboard, installed, fully integrated, etc.? What minimum applications/capabilities must be supported?
  - Who is responsible for identifying any required minimum capabilities? How to inspect, maintain, and recertify equipment to ensure it is working properly?
  - When will ICDs and performance commitments be available for new GNSS signals? When will new GNSS deployments reach a stable end-state signal configuration?
  - Do State mandates apply to foreign operators of vehicles transiting the State or only to domestically registered vehicles?

- Clearer guidance needed to understand whether announced mandates comply with WTO rules
Recommendation

U.S. requests that the ICG Providers’ Forum:

• Add GNSS market access to its future agenda for discussion

• Consider developing a new principle on market access for future adoption