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orea Record Of Understanding On Telecommunications--2/7/91

RECORD OF UNDERSTANDING UNITED STATES OF AMERICA-REPUBLIC OF OREA TELECOMMUNICATION
CONSULTATIONS FEBRUARY 4-7, 1991

During the Republic of orea-United States Telecommunications consultations held on February 4-7, 1991, the delegations of the two countries reached the following understandings:

I. Structural Reform Plan

A. The RO G delegation states that it has taken the following additional steps in the liberalization of its telecommunications services market.

1. A structural reform package that separates the oorean telecommunications services industry into two main categories. Network Service Providers (NSPs) will be telecommunications service providers who construct or own their own circuits and transmission facilities and must abide by common-carrier-obligations, such as universal service. Value-added Service Providers (VSPs) will be telecommunications service providers who lease telecommunications circuits from NSPs and use then to provide their services (described below).

2. NSPs--will be further divided into two categories: General Service Providers (GSPs), which own nation-wide telecommunications facilities; and Specific Service Providers (SSPs), whose service provision is limited by the RO G to the geographically or technically limited sectors, such as mobile telecommunications services, airport-related telecommunications services, and port telecommunications services. GSPs will be closed to foreign investment. New SSPs will be open to one-third foreign investment. No GSP may provide services reserved for SSPs. In addition, no one shareholder, domestic or foreign, may hold more than one third equity in any new SSP. However, orea Telecom will be permitted to maintain its current equity in orea Mobile Telecommunications Corporation.

3. The RO KG delegation confirms that, with the liberalization of international enhanced and value-added services by July 1, 1991, the market for VSPs will be open to competition.

4. The RO G delegation confirms that all remaining foreign investment restrictions for the VSP market other than data transmission services will be eliminated by no later than January 1, 1994. Until such time, nationals and K companies of foreign countries will be permitted to maintain or establish joint ventures with nationals and companies of the Republic of orea for the provision of any enhanced or value-added services; however, the nationals and companies of foreign countries are limited to owning less than 50 percent of the equity of such joint ventures.

5. The USG delegation reiterates that, given the rapid evolution of the value-added services market, the elimination of the investment restrictions on any VSPs by no later than January 1, 1992, is essential for the creation of a fully competitive market for value-added services in the Republic of orea. K

6. VSPs are further divided into three categories: On-line Database and Remote Computing Services (DB/RCS); Computer Communication; Services; and Data Transmission Services. The RO G delegation (confirms) that it defines these categories as follows;

a. On-line database and RCS are telecommunications Services which are carried over common carriers' networks K and which do not mediate third party communications;

b. Compu Commu ca o s S v c s a l commu ca o s s v c s, clud g cod a d p o ocol co v s o s v c s, wh ch a ca d ov commo ca s' wo ks a d wh ch s o a d fo wa d, o p oc ss a d fo wa d cus ome's fo ma o o a o - al me bass, a d wh ch do o clud s v c s ca go y 5.a abov .

c. Da a a smisso S v c s a l commu ca o s v c s wh ch a ca d ov commo ca s' wo ks a d wh ch a smi o xcha g a cus ome's fo ma o wi hou cha g s ' h fo mo co o a al- me bass. Fo h pu pos s of Ko a's p s l commu ca o fo m packag , da a a smisso s v c s do o clud voc l pho y, l x, o facs mil s v c s. F ms ha wi h o g s wi h h ROKG as p ov d s of Da a a smisso S v c s mus b g s d o p ov d Compu Commu ca o s S v c s.

B. h ROKG d l ga o [co f ms] ha h scop of S v c s cov d by h s R co d of U d s a d g clud s all ha c do valu -add d s v c s, bo h o wa d h fu u , ha a p ov d d wi h Ko a o, ff c v July 1, 1991, ac oss s bo d s. h ROKG d l ga o co f ms ha a o als a d compa s of fo g cou s wi l hav u s c d acc ss o, a d us of, l commu ca o s c cu s a d s v c s p ov d d by NSPs off d wi h o ac oss Ko a's bo d , clud g a o ala d a o alp va l as d c cu s, fo h p ov so of a y s v c s h p ov so of wh ch s au ho z d fo such a o als a d compa s, clud g ha c do valu - add d s v c s a d smpl da a a smisso s v c s.

C. h followi g s v c s, wh ch, h U d S a s, a d f d as bas c l commu ca o s v c s, a d wh ch, h R publ c of Ko a may b xclus v ly p ov d d by GSPs, do o fall wi h h scop of valu add d s v c s h Ko a l b al za o fo m packag : voc l pho y, l x, a d (U.S.: bas c) facs mil s v c s.

D. W h a v w o su g h qu val cy of h d f o s of valu -add d o ha c d s v c s a d h scop of h s R co d of u d s a d g, h d l ga o sag o compa h d f o pa ag aph I.A.6.a a d b (Da abas a d RCS a d Compu Commu ca o s) wi h h followi g fu c o al d f o s a d xampl s:

1. E ha c d a d Valu -Add d S v c s mea a y s v c s off d ov h l commu ca o s a smisso fac l s of GSPs wh ch mploy such compu p oc ss g appl ca o s as d sc b d b low:

a. ha co Tv h co , cod , p o ocol, o smila asp c s of h subsc b 's a smi d fo ma o ; a d

b. ha p ov d h subsc b wi h add o al, dff o s uc u d fo ma o ; a d

c. ha volv subsc b ac o wi h s o d fo ma o .

2. Some xampl s of valu -add d o ha c d s v c s a :

a. da a commu ca o s s v c s ha volv

(1) cod o fo ma co v s o s;

(2) p o ocol co v s o s, add o o ha b we X.25 a d X.75, pack swich g; a d

(3) s o a d fo wa d.

b. facs mil commu ca o s ha volv s o a d fo wa d o o of h fu c o s l s d abov I.G.I.a o b.

3. O h xampl s of s v c s ha a ha c do valu -add d s v c s a : da abas acc ss, mo compu g s v c s o da a p oc ss g, EDI, l c o c ma l, voc ma l, ha c d facs mil (clud g s o a d fo wa d), a d a y o h s v c ha mploy s h compu p oc ss g appl ca o s d sc b d pa ag aph I.D.I.

h USG d l ga o co f ms ha s s o d sc pa c s b we h d f o pa ag aph I.A.6.a a d b a d h abov fu c o al d f o a d xampl s. h ROKG d l ga o , u , ag s o fo m h USG d l ga o by o la ha Ma ch 17, 1991, of a y d sc pa c s d f s b we h d f o pa ag aph I.A.6.a a d b a d h abov fu c o al d f o a d xampl s. h d l ga o s shall co sul fu h should a y dsag me a s ga d g such d sc pa c s.

E. h USG d l ga o co f ms s pos o (1) ha a s v c ha comb s bas c a d ha c d s v c fu c o s s co s d d o b ha c do valu -add d wh h s v c p ov d off s h ha c me as pa of a s v c off g, v hough such ha c me may o b qu d o a pa cula call; (2) ha ha c do T

Value-added e e P o de s (V Ps) may, at the request of the custome , t ansmit without su h enhan ements as pa t of the se e to use s; and (3) that the p o s on of p oto ol on e s on an an enhan ed o alue-added se e, n add t on to that between .25 and .75, n pa ket swi t h ng may also n lude the t ansmiss on of messages without su h on e s on s as pa t of the se e to use s.

F. The ROKG delegat on onf ms that Pa ket swi t h ng with ode and p oto ol p o ess ng s pe mitted as a d st n t enhan ed o alue-added se e, and that V Ps will not be equ ed to offe su h ode and p oto ol p o ess ng se es n onjun t on with any othe enhan ed o alue added se es des bed he e n.

II. Reg st at on

A. The ROKG will equ e all p o de s of the following se es, othe than N Ps, to eg ste with the MOC:

1. nte nat onal on-l ne databases and emote ompute e es (DB/RC8);
2. ~~X~~omest and nte nat onal ompute ommun at on se es; and
3. domest and nte nat onal data t ansmiss on se es.

B. P o de s of domest DB/RC se es will not be equ ed to eg ste .

C. The ex lus e pu pose of the eg st at on p o edu e shall be to ensu e that the eg st ant s te hn ally and finan ally qual fied to p o de the se e des bed n the appl at on fo eg st at on. The ROKG shall ensu e that the eg st at on p o edu e s admin ste ed n a out ne manne and not with the pu pose o effe t of est t ng ompet t on o d s ou ag ng the p o s on of any pa t ula se e.

D. An appl at on fo eg st at on need onta n only the following tems:

1. the eg st ant's bus ness plan fo the se e, wh h need not d s lose any nfo mat on that the eg st ant deems p op eta y;
2. a. If the eg st ant s a Ko ean nat onal, the eg st ant's "standa d pe sonal e t f ate," wh h onf ms su h nfo mat on as the eg st ant's poss ble minal e o d, bank upt y h sto y,
 - b. f the eg st ant s a fo e gn nat onal es d ng n the Republ of Ko ea, the eg st ants "standa d eg st at on fo fo e gn es dents," wh h s p o ded unde the Ko ean natu al zat on and mmig at on statutes, and
 - c. f the eg st ant s a o po at on, () a "standa d pe sonal e t f ate" fo ea h membe of the boa d of d e to s who s a Ko ean nat onal, () a "standa d eg st at on fo fo e gn es dents" fo ea h membe of the boa d of d e to s who s a fo e gn nat onal es d ng n the Republ of Ko ea, and () a o py of the o po at on's a t les of n o po at on;
3. e den e of eg st ant's finan al apab l ty:
 - a. f the eg st ant s a phys al pe son, a e t f at on p epa ed n a o dan e with the p o edu es a spe fed n MOC P o lamat on No. 111 by a Ko ean- e t f ed publ a ountant that the eg st ant owns assets alued at a min mum of 100 mill on won,
 - b. f the eg st ant s a legal pe son, op es of the Ko ean o po ate eg st at on showing pa d- n ap tal of a min mum of 50 mill on won;
4. a gene al des pt on of the se es to be p o ded;
5. ~~X~~ a summa y l st ng of the majo nodes and p o ess ng fa l tes to be used to p o de the se e, that s suff ent to demonst ate that the eg st ant will ha e the te hn al apab l ty to p o de the se e;
6. a summa y netwo k map;
7. The names of the two pe sons to be employed by the eg st ant who hold Nat onal Te hn al Qual f at on Ce t f ates n tele ommun at ons o nfo mat on p o ess ng and op es of the Ce t f ates; and X

8. the registrant plan for meeting the requirement with respect to protecting customer information from unauthorized disclosure specified in MOC Proclamation No. 10.

E. The MOC shall approve the registrant's application only after submission of the application:

1. element specified in the previous paragraph missing from the application or schedule;
2. the format provided under clause I.D.2 does not meet the requirement of Article 7.4 of the Public Telecommunications Business Law ("PTBL"); or

the registrant has previously registered pursuant to Article 7.8 of the PTBL.

[U.S.:The MOC shall approve or deny application for registration within the 30 day of submission of the application. The written notice of denial shall include reasons for the denial.]

F. The MOC will permit concurrent review of registration application, termination agreement, and operating agreement with objective of minimizing the time required for the overall process.

G. A VSP may cancel registration anytime and withdraw from the market. Under Article 7-5.5 of the Public Telecommunications Business Law, if VSP closes business, it must notify user and the MOC thirty days in advance.

III. Notification of New Service

A. A registered VSP wishing to provide service the provision of which would require registration but which was not described in that registration need only notify MOC of (1) the service to be provided and (2) the standardized contract

pursuant to which the service will be offered.

B. Under the MOC forms the VSP within 30 days of submission of the notice, the VSP provision of the offered service shall be deemed approved by the MOC, and the VSP may begin providing that service.

C. The VSP may have recourse to the MOC appeal procedure to challenge determination by the MOC that proposed service not service open to VSP.

IV. Filing of Standardized Contract

A. NSP must provide the service pursuant to standardized contract approved by the MOC. The ROKG delegates to that effect the ROKG does not permit NSP to file a non-standardized contract for the provision of telecommunications service.

B. The ROKG delegates to confirm that the requirement for VSP to file a standardized contract with the MOC shall be satisfied by compliance with the requirements, without opportunity for approval or denial.

C. The ROKG delegates to further state that in order for VSP to meet the diverse demand of customers and to provide service tailored to specific requirements, VSP is permitted to make differential pricing structure for the service. The ROKG delegates to explain that VSP is not required to charge the same price for each diverse service. The requirement for VSP to notify MOC of the standardized contract should not prevent such VSP from offering service to meet the specific need of the customer timely manner, or require VSP required to reveal information they deem proprietary.

V. Interconnection Contract Approval

A. The ROKG delegates to explain that, under current law, the ROKG requires any interconnection contract both between domestic VSP and between domestic VSP and NSP to be approved by the MOC. The ROKG delegates to state that the ROKG will introduce, endeavor to obtain passage of, legislation to require

only compliance with interconnection contract between VSP and the upcoming legislation for the structural reform. Simple notification means there is no requirement for MOC approval. 3

B. The ROK e e ation states that, un er current aw, such contracts shou c ear y escribe interconnection con itions, inc u in emarcation points an how the networks are interconnecte . VS s may ne otiate the terms an con itions of such contracts without interference by the ROK an base on their own commercia consi erations. The ROK e e ation confirms that the purpose of such interconnection contract notification is not for re u ation VS interconnection, but it is for informationa purposes on y. The ROK e e ation a so confirms that the ROK wi protect the confi entia ity of any interconnection contracts fi e with it by VS s, an that MOC wi not re ease the information to any party outsi e the MOC. The ROK e e ation reconfirms its commitments to the princip es of interconnection, ia -up access to NS networks, an the use of proprietary protocols as escribe by the February 15, 1990, Summary Recor of Un erstan in .

C. The ROK e e ation a so confirms that, fo owin the chan e in orean aw outine in para raph A, the MOC wi no on er require VS s' interconnection contracts to contain any. specific item of information, but wi a ow VS s to ne otiate such contracts free y an to submit on y such information as the VS be ieves is necessary to escribe the interconnection in a enera manner an is not proprietary.

D. The ROK e e ation states that the ROK requires internationa VS s to fi e their contracts for interconnection with other VS s or NS s for authorization by MOC for the fo owin reasons: (1) to prevent iscretionary or unfair terms an con itions impose by NS s on VS S; an (2) to prevent bypass of NS networks, so that interconnection oes not cause severe ama e to the NS 's financia viabi ity.

E. The US e e ation states that the current ROK po icy to review an approve interconnection contracts of VS s constitutes a common carrier ob i ation an is inconsistent with the ROK po icy to review such contracts for informationa rather than re u atory purposes on y. The US e e ation a so states that there is no nee to review interconnection contracts between VS s to ensure fair terms an con itions of services provi e by NS S, since such matters are a resse by NS tariffs with VS S. Fina y, the US e e ation states that VS interconnection wou not cause severe financia ama e to NS S, an that this concern is insi nificant in i ht of oreas intention to open up irect competition between TA an DACOM.

F. It is a so the position of the Unite States that there shou be no requirement for S s to fi e separate interconnection contracts for connection with the services or faci ties of NS S, an that the terms an con itions of VS interconnection with NS s shou be overne so e y by uniform. NS tariffs fi e with an approve by MOC.

VI. Loca rocessin Requirements

The ROK e e ation states that the ROK imposes no requirements on provi ers of internationa atabase an internationa remote computin services that information be processe in the Repub ic of oreas, except for the purpose of protectin nationa security or pub ic mora s, where the purpose or effect is not to istort tra e.

VII. Se f -Use an Share -Use Communications

A. The ROK e e a tion confirms the ROK s e finit ion of se f use for ata communications as the use of private ease NS ser vices or faci ties, inc u in ease ine networks, f or communications by the same juri ca person. Such juri ca persons inc u e corporations, proprietorship , an partnerships. Examp es of such se f use inc u e , but are not imite to, communications between or am on hea quarters an branch offices, corporate e partm ents, an hea quarters an factories or warehouses via ease ine service ease from NS s. The cate o y o f se f use for ata communications is escribe by Art ic e 42.2 of the ub ic Te ecommunications Business La w.

B. The ROK e e ation confirms the ROK s e finit ion of Share use for ata communications as the use o f private ease NS services or faci ties, inc u in ease ine networks, for communications between or a mon iffere nt juri ca persons for non-te ecommunica tions business purposes.

C. The ROK e e ation confi rms that joint ventures constitute juri ca persons un er orean aw.

D. The ROK e e ation confirms that there are no restrictions on the relationship between the parties that may share omestic NS services or f aci ties, inc u in ease ines, for ata communicat ions, as stipu ate in Art ic e P

73-2 of the following Decree of October 1990.

. The ROKG delegation confirms that if-then, domestic distribution of NSP funds will be facilitated by the Ministry of Communications and Information Technology.

F. The ROKG delegation exclaimed that, under the law codified in Article 85.2 of the following Decree, amendments of October 1990, the domestic funds will be for the communication of the Ministry of Information and Communications Technology following:

1. Central government; ;
2. Local government
3. Government of the Republic of Korea; and
4. Regional government by the central government, the Republic of Korea.

G. The delegation of the funds will be by the Ministry of Communications and Information Technology. The Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology. The Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology. The Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology.

H. The ROKG delegation confirms that, in accordance with the distribution of the domestic code, it will develop the distribution of the funds. The ROKG delegation will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology.

I. The ROKG delegation that the Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology.

J. The USG delegation object to the ROKG's differential treatment of the domestic funds, differential treatment of the domestic funds. The USG delegation will be the Ministry of Communications and Information Technology. The USG delegation will be the Ministry of Communications and Information Technology. The USG delegation will be the Ministry of Communications and Information Technology.

K. The USG and ROKG delegation agree to visit the Ministry of Information and Communications Technology.

VIII. Operations and Management

A. The ROKG delegation that the Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology. The ROKG delegation will be the Ministry of Communications and Information Technology.

B. The USG delegation confirms that the ROKG delegation of the Ministry of Communications and Information Technology will be the Ministry of Communications and Information Technology. The USG delegation will be the Ministry of Communications and Information Technology. The USG delegation will be the Ministry of Communications and Information Technology.

will enter into the national international AN that will include provisions for the reimbursement of the specific criteria for the denial, timetable for MOC decision, and procedure for appeal and government consultation.

C. The RO G deletion has to be that the only criteria for providing the per tin c ntr ct, including international provisions, for international SP it ensure that the c ntr ct c nfrmt the terms of the government [USG: reimbursement][RO G: reimbursement] international value-added service to be negotiated between the United States and the .

IX. Equipment Attachment

A. The RO G deletion confirms that the cut mer re free to cut, with the appropriate provisions, any terminal equipment for which type of provision has been identified in the network of NSP. Such equipment includes multiplexer with capacity of more than 2 megabit per second, high speed packet switch and any other digital terminal equipment. The RO G deletion confirms that it will study the issue of Network Channel Termination Equipment and Digital Service Unit.

B. The USG deletion object to the RO G prohibition on the use of "exchange" equipment for the reduction of the domestic international leased line. The USG noted that this restriction was inconsistent with RO G deletion to the extent of the free attachment of equipment to NSP network, that the RO G deletion have a definition of "exchange" equipment, and that it would be impossible to have leased line if there was a method of connecting them.

X. Competition Safeguard

A. The RO G deletion confirms that the MOC will secure for competition in the national market for domestic and international telecommunications service. The RO G deletion further confirms that when a NSP enters in the provision of value-added service, either directly or through its affiliate, the MOC will take steps to ensure that the NSP does not enter into anti-competitive conduct, for example cross-subsidization, predation, unauthorized disclosure of proprietary customer network information, discrimination by provision of access to network service or function.

B. The RO G deletion confirms that it will initiate study of the effectiveness of various competition safeguards, including structural and non-structural requirements, such as Open Network Service Provision (ONSP) and cost accounting methods. This study will consider, among other things, efficiency of cost accounting requirements to protect against anti-competitive conduct related to network access, the protection of proprietary customer information, and the disclosure of technical changes to the network of NSP.

C. In studying the issue of competition safeguard and with regard to proposed changes in national telecommunications policy, the RO G will make available opportunities for public input from all interested parties, including domestic and foreign-invented SP, in the development of specific safeguard to prevent anti-competitive conduct.

D. The RO G deletion to be that it will introduce and endeavor to be in place of new legislation designed to secure and promote for competition in the national telecommunications service market. This legislation will provide the MOC with the authority to implement adequate and effective anti-competitive safeguard measures, such as structural and non-structural requirements and ONSP. ONSP rather equivalent measures will ensure that NSP provide SP with access to network service and function that are equivalent to the access that NSP provide themselves and to their affiliates for the provision of value-added service. Prior to the enactment of such legislation, the RO G deletion confirms that it will use the full extent of its existing authority to enforce the policy described in the paragraph A.

E. The RO G will ensure that NSP make their service available to SP on a cost-oriented basis, and that they will apply any charges to the telecommunications leased circuit used by SP to provide their service. The RO G will ensure that NSP make service available to SP in a reasonable period of time. K

F. The ROK election confirms that, in accordance with the requirements of the PTB, the ROK shall give public notice in the Official Gazette, and NSPs shall give public notice in a special Gazette and in newspapers, at least twenty days in advance of taking any measure affecting users, including VSPs. The ROK election further confirms that any interested person, whether Korean or foreign, may comment on, and participate in any public hearings relating to, any proposed measures affecting the provision of telecommunications services.

The ROK election confirms that safeguards to prevent anti-competitive conduct should apply only to NSPs, and not apply to VSPs.

H. The ROK election confirms that a governmental benefit in respect of the provision of telecommunications services will not be awarded with the purpose or effect of discrimination among providers of such services in like circumstances.

XI. Standards

A. Discussions relating to the implementation of Attachment 3 of the February 1990 Record of Understanding focus on clarification of implementation measures and a review of bracketed elements.

B. Relating to standards setting and a review process, the Korean government confirms that:

1. The ROK has revised its standards-setting and a review process, which went into effect on July 27, 1990.

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2. Several new standards have already been implemented under the new process.

3. The ROK continues to disseminate information relating to its new standardization process. This includes publication of an MOC guide book describing MOC's and Telecommunications Technology Association's (TTA) responsibilities in the standardization area, based on guidelines agreed in the February 1990 ROU.

4. MOC verifies that it will investigate any problems reported to it relating to TTA's processes. It also confirms its understanding that foreign interested parties may join a membership category of TTA, both general and special, since there are no TTA processes that discriminate against foreigners. It further confirms that foreign parties have voting rights in a TTA's subcommittees.

5. Relating to a request for verification of the methods of a hearing comment, the Korean election confirms that firms incorporated in Korea can be represented in the hearing process by its foreign or domestic representative. However, firms which are not incorporated in Korea may resort either to the TT Committee on Technical Barriers to Trade or be represented by a Korean national.

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6. The ROK election has proposed to change bracketed paragraph A(5) relating to government Computer Networks, from "until a consensus of reasonable opinions is reached," to "until a reasonable majority opinion is reached." The U.S. election has agreed to consider the proposed paragraph in consultation with its authorities.

7. The ROK election confirms that TTA's recent document describing the newly implemented type A review processes provides an illustrative list of mandatory standards and a review criteria, but does not contain an officially-sanctioned list of such criteria. MOC officials will review the TTA list and inform the U.S. election of any additional criteria that were not included on the TTA list, to ensure that U.S. industry is provided with accurate information.

8. The ROK will include wireless equipment under the limitation of "no harm to the spectrum" criteria. The ROK has issued for public comment a draft of a "Radio Equipment Regulation Ministerial Decree" to be in effect on July, 1991, which specifies a review criteria limited to "no harm to the spectrum."

9. Relating to acceptance of test data, the ROK election maintains its position that a foreign test laboratory must be accredited by the ROK or present test data to "show compliance with standard criteria" set forth in the technical regulations adopted in 1990. (C.3) The ROK election maintains this position because: (1) there is only one test for the type A review process; and (2) the FCC does not designate any Korean laboratories or

manufacturer a right tag not for type approval in the U.S. market. The ROKG's obligation maintains that the FTA has no transparency requirements for accreditation of foreign and manufacturer for the homologation process. It further maintains that the FTA's list of subjects that the FTA accepts is guaranty for the purpose of certification currently includes no Korean laboratory or manufacturer. The USG's obligation noted that the FTA does not intend to offset any laboratory for type approval because compliance with relevant standard met through certification of the manufacturer without the need for government notification.

XII. Government Procurement

The ROKG's obligation confirms the intention to implement fully a provision of the February 1990 ROU regarding government procurement of telecommunications goods and services. Furthermore, it indicates that in response to GATT Government Procurement code membership requirements on the part of Korea offer for consideration in application to join the Government Procurement

("odd") would be forthcoming in the next few weeks and that the ROKG could be prepared to conduct negotiations regarding the terms of the accession with the code member countries, possibly during the first quarter of 1991. In this regard, the ROKG's obligation would ask the USG to provide data and volume for which negotiations between the two countries. [U.S.: The USG's obligation confirms that upon the ROKG's implementation of the commitment regarding telecommunications procurement contained in the February 1990 ROU and subsequent completion of the accession process, the U.S. would provide the Republic of Korea with reciprocal competitive opportunities in the U.S. government procurement market.] [ROK: The USG's obligation confirmed that upon the ROK's implementation of the commitment regarding telecommunications procurement contained in the February 1990 ROU or subsequent completion of the accession process, the U.S. would provide the ROK with reciprocal competitive opportunities in government procurement market.]

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