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**Contribution**

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Comments from Malcolm McKinnon:

- Despite the economic size and importance of the sector, there is little to no discussion of “creative services” in either SADC or other African RECs or the AfCFTA in the context of trade negotiations under the various regional/continental TiS Protocols and Regulations. Sectors have been considered according to priorities determined by reference to the broad sector headings in the WTO Services Sectoral Classification List (W/120), with common priority sectors include traditional services such as communication (including audio-visual), financial, tourism and transport services.
- SADC is commencing a second round of negotiations covering all remaining services including business services and recreational, cultural and sporting services.
- Within SADC trade circles, a broader discussion is beginning on “digital services”, recognising the need for a longer-term regional strategy as services become increasingly digitalised.
- The MYEM meeting has provided an opportunity to view creative services as a sector in its own right, albeit that compared to W/120 it is somewhat cross-cutting. Since the value of cultural and creative industries is calculated on such a cross-cutting basis, it may help trade negotiations to proceed in this area on the basis of an agreed “cluster”. A suggestion is attached.
- Even set against this cluster, an analysis of existing commitments by African Union Member States shows that very few commitments have been taken under the GATS (see Table attached). More commitments may be taken at the regional/continental level. Despite the importance of the audio-visual sector in the context of creative services, only six Member States have taken GATS commitments, none of which are the leaders in this sector such as Nigeria or South Africa.
- The MYEM meeting has emphasised the importance of the link between creativity and innovation, but also the link between creativity, innovation and trade. This area requires more work at the SADC level, hence the need to spend more time in preparing our input. The MYEM discussions will help us in this regard.

## SUGGESTED CLUSTER OF CREATIVE SERVICES UNDER CPC 2.1

(Based approximately on W/120 list)

Division	Class	Sub-class	Description	CPC Provisional
<b>1.A. Professional services</b>				
83	832	8321	Architectural services	8671
		8323	Landscape architectural services	8674
<b>1.B. IT services</b>				
83	831	8314	Information technology (IT) design and development services	These services were not available when CPC Provisional was developed
	843	8431	On-line text-based information (e.g. books, newspapers, etc)	
		8432	On-line audio content (e.g. music)	
		8433	On-line video content (e.g. films)	
		8434	Software downloads	
		8439	Other on-line content (e.g. games)	
<b>Information supply services (ex-recreational, etc)</b>				
84	844	8441-8442	News agency services	962
	845	8451-8452	Library and archive services	9631
<b>1.C. Research and development services</b>				
81	811-813		Research and development services	851-853
	814		Research and development originals	n.a.
<b>1.F. Other business services</b>				
83	836	8361	Advertising services (including graphic design)	871
		838	8381	Photographic services
	839	8391	Specialty design services	87907
		8392	Design originals	n.a.
89	891	89122	Publishing, printing and reproduction services (e.g. graphic service activities related to printing)	88442
<b>2.D. Audio-visual services (part of recreational, etc.)</b>				
84	846	8461	Radio and television broadcast originals	9613?
96	961		Audiovisual and related services	
		9611	Sound recording services	n.a.
		9612	Motion picture, videotape, television and radio programme production services	96112 9613
		9613	Audiovisual editing services	96114
<b>10. Recreational, cultural and sporting services</b>				
96	962		Performing arts and other live entertainment event presentation and promotion services	96191 96193
		963	Services of performing and other artists	96192
	964		Museum and preservation services	9632
	965	9651	Sports and recreational sports event promotion and organization services	96411
<b>9. Tourism services</b>				
85	855	8556	Tourism promotion services	n.a.

## COMMITMENTS BY AFRICAN WTO MEMBER STATES UNDER THE GATS

AU Member State	Architectural	Research & development	Advertising	Design	Photography	Printing & publishing	IT	Audio-visual	Newspapers & magazines	Museums	Libraries	Performing arts	Visual arts	Sporting
Angola														X
Botswana	X	X					X							
Burundi			X											
Cabo Verde	X	X	X				X	X				X		X
CAR								X	X	X	X	X		X
Congo Rep.												X		
Djibouti														X
DRC									X			X		X
Eswatini		X					X							
Gambia	X	X	X				X	X	X	X	X	X		X
Guinea-Bissau										X	X			
Lesotho	X				X		X	X						
Liberia	X		X				X	X	X	X	X	X		
Morocco							X							
Senegal	X													X
Seychelles	X	X	X				X	X	X		X	X		
Sierra Leone	X		X	X	X	X	X		X	X	X			
South Africa	X				X		X							
Togo												X		
Uganda														X
<b>TOTAL (out of 55 Member States)</b>	<b>9</b>	<b>5</b>	<b>6</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>10</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>8</b>	<b>0</b>	<b>8</b>