What have WTO accessions contributed to the rules-based multilateral trading system? What demands have been made by original WTO members on acceding governments? How have the acceding governments fared? This volume of essays offers critical readings on how WTO accession negotiations have expanded the reach of the multilateral trading system not only geographically but also conceptually, clarifying disciplines and pointing the way to their further strengthening in future negotiations. Members who have acceded since the WTO was established now account for twenty per cent of total WTO membership. In the age of globalization there is an increased need for a universal system of trade rules. Accession negotiations have been used by governments as an instrument for domestic reforms, and one lesson from the accession process is that there are contexts which lead multilateral trade negotiations to successful outcomes even in the complex and multi-polar twenty-first-century economic environment. The contributions in this volume illuminate the pressing question regarding why some trade negotiations fail, some stall and others succeed.

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WTO ACCESSIONS AND TRADE MULTILATERALISM

Case Studies and Lessons from the WTO at Twenty

Edited by

URI DADUSH AND CHIEDU OSAKWE
DISCLAIMER

The opinions, arguments and conclusions contained in this publication are the sole responsibility of the individual authors. This includes contributions prepared by individual staff of the Secretariat of the World Trade Organization. None of the chapters purports to reflect the opinions or views of WTO members or the Secretariat, directly or indirectly. Any citation of the chapters should ascribe authorship to the individuals who have written the contributions. This book should not be viewed as advancing any form of legal interpretation or any policy position, and no views or analysis in this publication should be attributed to the WTO, its Secretariat or its members.
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FOREWORD

Welcoming new members to the WTO is a highlight of my position as Director-General. The tangible sense of pride that I have felt from acceding governments – and their expectations of what membership will mean for their citizens – is a reminder of the importance of the multilateral trading system. Thirty-three new members have joined the WTO since it was established in 1995. At the time of writing we have 161 members, covering 98 per cent of the global economy, and there are over twenty more countries in the process of joining.

Increasing the membership of the WTO has always been a priority for our organization – not as an end in itself, but as a means to extend the coverage of multilateral trade rules. When a new country goes through the process of integrating into the multilateral trading system, we see tariffs lowered, market access increased, and the principles of non-discrimination, transparency and predictability extended. In addition, in the WTO’s dispute settlement system, new members have access to one of the most highly regarded bodies in international law to help them to resolve trade disputes in a fair and objective manner. The overall effect of increasing the membership is therefore to boost growth and increase stability in the global economy.

This book seeks to tell the story of WTO accessions and show the importance of our work in this area. Over fifty contributors from inside and outside the WTO assess the results of our efforts and how they have served the trading system. As a result, these pages contain a mix of analysis, experience and lessons for the future. They highlight the value of accessions in increasing market access, supporting domestic reforms and contributing to rule making in the WTO.

The contributors include chief negotiators of original members; chief negotiators of members which have acceded since 1995; highly regarded economists, lawyers and academics; and experts from the WTO, World Bank, International Monetary Fund and the International Trade Centre.
In considering our work on accessions we should recall the genesis of this organization. The WTO was first conceived as part of the post-war Bretton Woods framework of global economic governance, with the aim of achieving greater openness, prosperity and stability among nations. This remains central to my vision of the WTO today. By bringing an increasing number of countries together in an atmosphere of cooperation and shared rules, the multilateral trading system is a means not just to achieve growth and development, but also to support peace.

I congratulate everyone who has been involved in producing this important book – particularly the contributors and the co-editors. It is an excellent contribution to the debate on the work of the WTO during our twentieth anniversary year.

Roberto Azevêdo
WTO Director-General
ACKNOWLEDGEMENTS

Beyond the institutions and their elaborate structures and protocols, there are the individuals. They are the negotiators, aid and trade policy experts, researchers in academia and think tanks who have toiled constantly to promote open and predictable trade as a means to expand global welfare, prosperity and security. These individuals inside and outside the WTO are part of an ongoing mission. They are countless. The authors of the chapters in this book are part of this family. As editors of this book, we express our profound appreciation to all the authors whose contributions feature in this volume. We are immensely grateful for the time, energy and intellect they have invested in this project. The range of perspectives represented in these chapters will help to improve understanding of how accession to the WTO has contributed to the multilateral trading system, supported domestic reforms and fostered international cooperation. We also believe that the contributions in this volume hold important lessons for the WTO as it adapts to a global economy at a time of rapid and dynamic transformation. Many colleagues were indispensable in the preparation of this book. We received inspiration, strong support and thoughtful reflections, at every stage, from WTO Deputy Director-General David Shark, Graça Andresen-Guimaraes, Senior Adviser in the Office of WTO Director-General Azevêdo and Tristan Bauswein, Director of Administration and General Services Division in the WTO. For their editorial work in preparing the manuscript and refining it through many stages, we are very grateful indeed to Nadia Ferdi Demierre, Samantha Evans, Serge Marin-Pache, Anthony Martin, Helen Swain and Souda Tandara-Stenier. We received excellent research assistance from Shimelse Ali, Bennett Stancil and Zaaahira Wyne. Last but not least, we are grateful to Finola O’Sullivan at Cambridge University Press whose ‘interest’ in the idea of this book was the spur to move ahead with this book project.
ABBREVIATIONS

ACDB  accession commitments database
ACWL  Advisory Centre on WTO Law
AD    anti-dumping
ADB   Asian Development Bank
AFT   WTO Aid for Trade
AGST  agricultural supporting tables
AMS   aggregate measurement of support
AoA   Agreement on Agriculture
ASEAN Association of Southeast Asian Nations
BIT   bilateral investment treaty
CEFTA Central European Free Trade Agreement
CET   common external tariff
CPIA  country policy and institutional assessment
CRN   WTO Central Registry of Notifications
CU    Customs Union of Belarus, Kazakhstan and Russia
CVD   countervailing duties
DDA   Doha Development Agenda
DFQF  duty-free, quota-free
department policy operations
DSU   Dispute Settlement Understanding
EAEU  Eurasian Economic Union
EC    European Commission
EFTA  European Free Trade Association
EIF   Enhanced Integrated Framework
ESCAP Economic and Social Commission for Asia and the Pacific
EU    European Union
EurAsEC/EAEC Eurasian Economic Community
FAO   Food and Agriculture Organization of the United Nations
FBR   Federal Board of Revenue
FDI   foreign direct investment
FRY   Federal Republic of Yugoslavia
FTA   free trade agreement

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<th>Abbreviation</th>
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<tr>
<td>G-20</td>
<td>Group of Twenty – a mix of the world’s largest advanced and emerging economies</td>
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<tr>
<td>GATS</td>
<td>General Agreement on Trade in Services</td>
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<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>GDP</td>
<td>gross domestic product</td>
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<tr>
<td>GPA</td>
<td>Agreement on Government Procurement</td>
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<td>GSP</td>
<td>Generalised System of Preferences</td>
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<td>GVC</td>
<td>global value chains</td>
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<td>IBR</td>
<td>International Bank for Reconstruction</td>
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<td>ICRG</td>
<td>International Country Risk Guide</td>
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<td>ICSID</td>
<td>International Centre for Settlement of Investment Disputes</td>
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<td>ICTSD</td>
<td>International Centre for Trade and Sustainable Development</td>
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<td>IDB</td>
<td>WTO Integrated Data Base</td>
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<td>IEC</td>
<td>International Electrotechnical Commission</td>
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<td>IEF</td>
<td>International Energy Forum</td>
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<td>IGA</td>
<td>Informal Group on Accessions</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>INRs</td>
<td>initial negotiating rights</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>IP</td>
<td>intellectual property</td>
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<td>IPPC</td>
<td>International Plant Protection Convention</td>
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<td>ISPMs</td>
<td>International Standards for Phytosanitary Measures</td>
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<td>ITA</td>
<td>Information Technology Agreement</td>
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<tr>
<td>ITC</td>
<td>International Trade Centre</td>
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<tr>
<td>LDC</td>
<td>least-developed country</td>
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<tr>
<td>MENA</td>
<td>Middle East and North Africa region</td>
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<td>MFN</td>
<td>most-favoured nation</td>
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<tr>
<td>MFTR</td>
<td>Memorandum on the Foreign Trade Regime</td>
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<td>MONSTAT</td>
<td>Statistical Office of Montenegro</td>
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<td>MRL</td>
<td>maximum residue level</td>
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<tr>
<td>NAFTA</td>
<td>North American Free Trade Agreement</td>
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<tr>
<td>NAMA</td>
<td>non-agricultural market access</td>
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<td>NAV</td>
<td>non-ad valorem</td>
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<tr>
<td>NDRC</td>
<td>National Development and Reform Commission</td>
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<tr>
<td>NGO</td>
<td>non-governmental organization</td>
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<tr>
<td>NME</td>
<td>non-market economy</td>
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<tr>
<td>NTM</td>
<td>non-tariff measures</td>
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<tr>
<td>ODCs</td>
<td>other duties or charges</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>OIE</td>
<td>World Organisation for Animal Health</td>
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<td>OPEC</td>
<td>Organization of Petroleum Exporting Countries</td>
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LIST OF ABBREVIATIONS

PTA preferential trade agreement
RAMs recently acceded members
RCEP regional comprehensive economic partnership
RTA regional trade agreement
S&d special and differential treatment
SCM subsidies and countervailing measures
SES single economic space
SFRY Socialist Federal Republic of Yugoslavia
SMEs small and medium-sized enterprises
SNA System of National Accounts
SOEs state-owned enterprises
SPS sanitary and phytosanitary measures
STEs state trading enterprises
TBT technical barriers to trade
TF Trade Facilitation
TFEU Treaty on the Functioning of the European Union
TISA Trade in Services Agreement
TPP Trans-Pacific Partnership
TPR Trade Policy Review
TPRM Trade Policy Review Mechanism
TRIMs trade-related investment measures
TRIPS trade-related aspects of intellectual property rights
TRQ tariff rate quota
TTIP Transatlantic Trade and Investment Partnership
UNCITRAL United Nations Commission on International Trade Law
UNCPC United Nations’ Central Product Classification
UNCTAD United Nations Conference on Trade and Development
UNECE United Nations Economic Commission for Europe
UNIDO United Nations Industrial Development Organization
UPOV International Union for the Protection of New Varieties of Plants
USAID United States Agency for International Development
VAT value-added tax
VCLT Vienna Convention on the Law of Treaties
WCO World Customs Organization
WEF World Economic Forum
WIPO World Intellectual Property Organization
WP working party
WPR working party report
WTO World Trade Organization
EDITORS’ NOTE

The analyses in the chapters in this book were finalised at the end of December 2014. Since then the Republic of Seychelles acceded to the World Trade Organization (WTO) on 26 April 2015. This expanded total WTO membership from 160 to 161.

The chapters in this book are, however, based on the analysis of the results from the accession-specific commitments of the 32 Article XII members which had joined the WTO up to the end of 2014. The relevant chapters include a footnote to indicate this.

On the pace of the current accession negotiations work programme, the negotiations for the membership of the Republic of Kazakhstan should be concluded before the summer break of 2015. Kazakhstan should become the 162nd member of the WTO by the Tenth WTO Ministerial Conference in December 2015.