

WTO ACCESSIONS AND TRADE MULTILATERALISM

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

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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.