WTO Third China Round Table on WTO Accessions
Dushanbe, Tajikistan
2 - 5 June

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Article XII Members - Recently Acceded Members- (RAMs)

Who are they ?!

Countries that negotiated and joined the WTO after 1995 under Art. XII of Marrakesh Agreement (open membership)
Paragraph 9 of Doha Declaration states:

“We note with particular satisfaction that this Conference has completed the WTO accession procedures for China and Chinese Taipei. We also welcome the accession as new Members, since our last Session, of Albania, Croatia, Georgia, Jordan, Lithuania, Moldova and Oman, and note the extensive market-access commitments already made by these countries on accession. These accessions will greatly strengthen the multilateral trading system, as will those of the 28 countries now negotiating their accession. We therefore attach great importance to concluding accession proceedings as quickly as possible. In particular, we are committed to accelerating the accession of least-developed countries.”

*Croatia, Lithuania ( EU )
*Georgia: Withdraws
Hong Kong Declaration
(18 December 2005)

- Para. 58 (RAMs – Services):
  “We recognize the special situation of recently-Acceded Members who have undertaken extensive market access commitments at the time of accession. This situation will be taken into account in the negotiations.”
“We reaffirm our strong commitment to making the WTO truly global in scope and membership. We welcome those new Members who have completed their accession processes since our last Session, namely Nepal, Cambodia and Saudi Arabia. We note with satisfaction that Tonga has completed its accession negotiations to the WTO. These accessions further strengthen the rules-based multilateral trading system. We continue to attach priority to the 29 ongoing accessions with a view to concluding them as rapidly and smoothly as possible. We stress the importance of facilitating and accelerating the accession negotiations of least-developed countries, taking due account of the guidelines on LDC accession adopted by the General Council in December 2002.”
General Council decision 1 August 2004  
( WT/L / 579 )

Agriculture annex A: para 47
“The particular concerns of recently acceded Members will be effectively addressed through specific flexibility provisions”.

NAMA annex B: Para 11
“We recognize that newly acceded Members shall have recourse to special provisions for tariff reductions in order to take into account their extensive market access commitments undertaken as part of their accession and that staged tariff reductions are still being implemented in many cases. We instruct the Negotiating Group to further elaborate on such provisions”.

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Paragraph 58 of the Hong Kong Ministerial Declaration states that:

“We recognize the special situation of recently-acceded Members who have undertaken extensive market access commitments at the time of accession. This situation will be taken into account in the negotiations”.

Paragraph 47 of the Agreed Framework (Annex A of WT/L/579) states that:

“The particular concerns of recently acceded Members will be effectively addressed through specific flexibility provisions.”
Reference Paper of the chairman of the special session on agriculture of 4 May 2006: definition of RAMs (Document: 3431)

1. Paragraph 47 of the Agreed Framework states that recently acceded Members (RAMs) will have specific flexibility provisions. However, despite giving a direction for negotiations, this statement obviously leaves a range of issues unresolved. For example, should this flexibility apply or, indeed, is it applicable in each of the three pillars? What Members should be included in the group of recently acceded Members? Is complete closure required on the modalities before flexibility for recently acceded Members can be considered or can some progress be made on flexibility in parallel with, or in advance of, progress on the modalities?

2. This list of issues is not, of course, exhaustive. I wish only to indicate that flexibility for recently acceded Members is an integral part of the negotiations and cannot be considered as an afterthought to complete modalities. As I have said repeatedly, it is not feasible to consider partial modalities because the RAMs will need to see the general bases for new rules and commitments and the flexibility that might be available to them before they can prepare draft schedules. At the same time, given the size and importance in world trade of some RAMs, Members will need to know what flexibility might apply in order to assess objectively the overall result. Some other Members may be interested in the potential for recently acceded Members with much smaller shares of world trade to use flexibility in the context of specific products or market sectors.
Definition of Recently Acceded Members

4. One central issue that needs to be addressed is what Members are included within the category of "recently acceded". However, paragraph 58 of the Hong Kong Ministerial Declaration does apply to the negotiations generally and, therefore, the actual list of Members could be considered to be a matter for the Members concerned (because one or more of them may not wish to be designated as being in the RAMs group), the Trade Negotiations Committee, the General Council or a WTO Ministerial Conference. Of course, the agriculture negotiations will determine the specific flexibility to be afforded to this group in the modalities for agriculture. This note is without prejudice to this central issue and exists to facilitate reflection at this point specifically within the agriculture context.
Communication from Ecuador and Panama (2 June 2006) (RAMs):
11. We recognize that newly acceded Members shall have recourse to special provisions for tariff reductions in order to take into account their extensive market access commitments undertaken as part of their accession and that staged tariff reductions are still being implemented in many cases. We instruct the Negotiating Group to further elaborate on such provisions.
Recently Acceded Members (RAMs)

In recognition of their extensive market access commitments undertaken as part of their accession and that staged tariff reductions are still being implemented in many cases, the Recently Acceded Members shall have an additional implementation period of […] years, in respect of […].

In recognition of their extensive market access commitments undertaken as part of their accession and their current economic circumstances, Armenia, Kyrgyz Republic and Moldova shall not be required to undertake tariff reductions.
Recently Acceded Members (RAMs)

Who is a RAM?

An informal understanding was reached that for the purposes of complying with paragraph 58 of the Hong Kong Declaration concerning RAMs, the relevant negotiating bodies should consider the situation of all those Members who have acceded to the WTO since its establishment, with the exception of those who have since become members of the European Union and those who are LDCs. In addition, any further countries which acceded before the conclusion of the negotiations under the DDA should also be considered. It is also understood that if Bulgaria becomes a member of the European Union before the conclusion of the Round, it would not be considered a RAM for the purposes of paragraph 58 of the Hong Kong Declaration.

On that basis, the potential list of RAMs for the purposes of paragraph 58 of the Hong Kong Declaration would be as follows: Ecuador, Bulgaria, Mongolia, Panama, Kyrgyz Republic, Jordan, Georgia, Albania, Oman, Croatia, Moldova, China, Chinese Taipei, Armenia, Former Yugoslav Republic of Macedonia and Saudi Arabia.
Treatment of RAMs

There is consensus that additional flexibility in the form of longer implementation periods should be extended to all recently acceded Members. However, Members have differing views on how such longer implementation periods should apply. Some have argued that the extension should apply to all tariff lines while others would restrict the extension to tariff lines on which accession commitments have not yet been fully implemented.

There is also consensus that the small, low-income economies in transition (Armenia, Moldova and Kyrgyz Republic) should be given special consideration.

There is a widely held view among Members that, in addition to these flexibilities, RAMs should also make use of other flexibilities for which they are eligible (for example, there may be a number of RAMs who may be eligible to use the flexibilities for developing countries that apply the formula, or for small, vulnerable economies).
A proposal was submitted by China providing options for additional flexibilities that might be accorded to RAMs, including a higher coefficient, greater paragraph 8 flexibilities and grace periods for the implementation of the formula. Croatia supported this proposal, but proposed that the grace period and implementation period be increased and that they should have access to paragraph 8 flexibilities. Little support was expressed for these proposals.
Groups in the WTO

**WTO definition of Recently Acceded members (RAMs):**
Recently acceded members (RAMs): are countries that negotiated and joined the WTO after 1995, seeking lesser commitments in the negotiations because of the liberalization they have undertaken as part of their membership agreements. Excludes least-developed countries because they will make no new commitments, and EU members.

**Countries (20):** Albania, Armenia, Cabo Verde, China, Chinese Taipei, Ecuador, Former Yugoslav Republic of Macedonia, Georgia, Jordan, Kyrgyz Republic, Moldova, Republic of, Mongolia, Oman, Panama, Russian Federation, Saudi Arabia, Kingdom of, Tajikistan, Tonga, Ukraine, Viet Nam.

Source: https://www.wto.org/english/tratop_e/dda_e/negotiating_groups_e.htm
How "Recent"?! Depends on their level of commitments and not number of years

Market access comparison among RAMs, developing and developed Members (Agriculture and NAMA)

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<tr>
<th>Member/Group</th>
<th>No of Members</th>
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Market access comparison among RAMs, developing and developed Members

* Average for developed economies does not count individual GATS schedules of Members acceding to the EU after 1995. The schedule of the European Union (12) is counted as 1.

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Recently Acceded Members (RAMs)
Who Are They ?!

Albania, Armenia, Cabo Verde, China, Ecuador, FYR Macedonia, Georgia, Jordan, Kyrgyz Rep., Moldova, Mongolia, Oman, Panama, Russian Federation, Saudi Arabia, Chinese Taipei, Tajikistan, Tonga, Ukraine, Viet Nam.

* New RAMs:
Tajikistan (2013) [ RAMS ]
Yemen (2014) [ G-90, LDCs ]
Seychelles (2015) [ ACP, G-90 ]

Source: https://www.wto.org/english/tratop_e/dda_e/groups_by_country_e.htm
Paragraph 13, a (e) of Draft Modalities for Non-Agricultural Market Access (Rev.3)

“For those Recently Acceded Members applying this modality, a grace period of 3 years shall be applied on those lines on which accession commitments are not fully implemented before entry into force of the DDA results. This grace period shall begin as of the date of full implementation of the accession commitment on that tariff line”.
Paragraphs 18, 19, 20 of Draft Modalities for Non-Agricultural Market Access (Rev.3)

18. The RAMs shall apply the modality provided for in either paragraphs 5, 6 and 7 or paragraph 13, as applicable.

19. In addition, the RAMs applying the formula shall be granted an extended implementation period of 3 equal rate reductions to that provided in paragraph 6(f) to implement their Doha commitments. The first reduction shall be implemented on 1 January of the year following the entry into force of the DDA results. Each successive reduction shall be made effective on 1 January of each of the following years.

20. Albania, Armenia, Cape Verde, Former Yugoslav Republic of Macedonia, Kyrgyz Republic, Moldova, Mongolia, Saudi Arabia, Tonga, Viet Nam and Ukraine shall not be required to undertake tariff reductions beyond their accession commitments.
Oman’s Case:

Coefficient and flexibilities for developing Members subject to the formula

Para 7 (g):
“As an exception, Oman shall not be required to reduce any bound tariff below 5 per cent after applying modalities under paragraph 7(b)(i). Flexibilities shall be used exclusively to cover tariff lines currently bound at 5 or 5.5 per cent. Oman shall implement its tariff reductions in accordance with paragraph 6(f).”
SVEs RAMs  
*(Small Low Income Economies in Transition)*

Armenia, Mongolia, Moldova, Georgia, [Jordan], Albania, Kyrgyz Republic

**Very Recently Acceded Members (VRAMs)**

Saudi Arabia, Macedonia, Vietnam, Tonga, Ukraine

* Source: Draft Modalities for Non-Agricultural Market Access: (TN/MA/W/103/Rev.3) and revised draft modalities for agriculture: (TN/AG/W/4/Rev.4).
I- Domestic Support
A. Overall Reduction of Trade-Distorting Domestic Support
Para 9, Page 5:

“Saudi Arabia, the Former Yugoslav Republic of Macedonia, Viet Nam and Ukraine, as very recently-acceded Members (hereafter "RAMs") shall not be required to undertake reduction commitments in their Base OTDS. Small low-income RAMs with economies in transition shall not be required to undertake reduction commitments in their Base OTDS. Reduction commitments for other RAMs with Final Bound Total AMS commitments shall be two-thirds of the relevant rate specified in paragraph 3(c) above and shall be implemented in accordance with the provisions in paragraph 8 above.”
B. Final Bound Total AMS
Para 19, Page 7

“Saudi Arabia, the Former Yugoslav Republic of Macedonia, Viet Nam and Ukraine, as very recently-acceded Members shall not be required to undertake reduction commitments in their Final Bound Total AMS. Small low-income RAMs with economies in transition shall not be required to undertake reduction commitments in their Final Bound Total AMS. In the case of such Members, investment subsidies which are generally available to agriculture, agricultural input subsidies and interest subsidies to reduce the costs of financing, as well as grants to cover debt repayment, may be excluded from the calculation of the Current Total AMS. The reductions in Final Bound Total AMS for other RAMs with such commitments shall be two-thirds of the rate specified in paragraph 13(c) above and shall be implemented in accordance with paragraph 16 above.”
D. De Minimis
Para 33, Page 9

“Saudi Arabia, the Former Yugoslav Republic of Macedonia, Viet Nam and Ukraine, as very recently-acceded Members shall not be required to undertake reduction commitments in de minimis. Small low-income RAMs with economies in transition6 shall not be required to undertake reduction commitments in de minimis. Other RAMs with Final Bound Total AMS commitments and which have existing de minimis levels of 5 per cent shall reduce such levels by at least one-third of the reduction rate specified in paragraph 30 above and the timeframe for implementation shall be five years longer.”
For RAMs, the maximum value of support referred to in paragraph 38 above shall be 5 per cent of the average total value of agricultural production in the 1995-2000 base period or the 1995-2004 base period as may be selected by the Member concerned. However, in cases where there is a movement from AMS to Blue subsequent to the conclusion of this negotiation, the Member concerned shall have the option of selecting as its base period the most recent five-year period for which data are at that time available.”
II – Market Access
A. TIERED FORMULA FOR TARIFF REDUCTIONS

Para 66-69, page 15:

66. “RAMs shall be entitled to moderate the cuts they would otherwise have been required to make under the tiered formula for developing country Members in paragraph 63 by up to 8 ad valorem percentage points. All RAMs shall be entitled to exempt their final bound tariffs at or below 10 per cent from reductions in bound tariffs.”
II – Market Access
A. TIERED FORMULA FOR TARIFF REDUCTIONS
Para 66-69, page 15:

67. “Saudi Arabia, the Former Yugoslav Republic of Macedonia, Viet Nam, Tonga and Ukraine, as very recently-acceded Members and small low-income RAMs with economies in transition12, shall not be required to undertake reductions in final bound tariffs.”
II – Market Access
A. TIERED FORMULA FOR TARIFF REDUCTIONS
Para 66-69, page 15:

68. “For all other RAMs, to the extent that, in implementing commitments undertaken in acceding to the WTO, there would be actual overlap with commitments to be otherwise undertaken in association with these Modalities, the start of implementation of commitments undertaken in association with these Modalities for such tariff lines shall begin one year after the end of implementation of the accession commitment.”

69. “The implementation period for RAMs may be prolonged by up to two years after the end of the developing country Members' implementation period.”
II – Market Access
A. TIERED FORMULA FOR TARIFF REDUCTIONS
Para 70, page 16:

70. “More specific provisions can be found in the relevant sections of this document.”
Tariff Quotas
(a) Bound in-quota tariffs
Para 113, Page 21

“The relevant reduction by RAMs shall be further reduced to one third of the percentage cut required for developing country Members. In-quota tariffs at or under 15 per cent need not be reduced. Saudi Arabia, the Former Yugoslav Republic of Macedonia, Viet Nam, Tonga and Ukraine, as very recently-acceded Members and small low-income RAMs with economies in transition need not make any reductions.”
D. SPECIAL AND DIFFERENTIAL TREATMENT
Special Products
Para 131, page 23

“In the case of RAMs, the maximum tariff line entitlements to Special Products shall be 13 per cent and the overall average cut to be achieved for the designated tariff lines may be further reduced to 10 per cent.”
RAMs

- What are their requests?!
  - Flexibilities
  - Exemptions
  - Narrow the gap between RAMs and other Members.
- What will be their contribution in DDA?!!!
  - It depends on the level of ambition.
- What is the level of ambition in DDA!
  - High / low?
Thank you for your kind attention

Questions and Remarks

oman_wto@bluewin.ch  /  hildaalhinai@gmail.com
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