



DIRECTOR-GENERAL'S 2013 ANNUAL REPORT ON ACCESSIONS



This Annual Report takes account of confirmed accession-related developments up until 1 November 2013.

This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

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I. INTRODUCTION AND OVERVIEW

1. This is the Fifth Annual Report on WTO Accessions and my first as Director-General. Although the Organization has not moved as fast as planned, progress this year was steady and largely technical, setting the stage to further advance in 2014. This year, the accession of Yemen was concluded. Technical work on several was advanced to their final stages. Transparency and outreach were enhanced. The Informal Group on Accessions improved its play as a "facilitator" in the systemic coordination of work on accessions. Work on the "Accessions Toolbox" (ATB) was refined, upgraded and advanced.

2. As I stated at the opening of the Global Seminar on WTO Accessions on 23 September, "WTO Accession is a strategic priority for the Organization". This is why I have given support to the long overdue process of stock-taking of the considerable *acquis* that have resulted from 31 completed accessions. As an Organization, we need to ascertain the best practices and lessons from completed accessions. Accessions results have contributed to the rules, improved market access, provided an instrument to assist domestic reforms and fostered broader international cooperation. Improved understanding of these effects should provide useful perspectives to questions regarding the WTO and its future. In a complex international environment, our expectations should be realistic and sober. Progress on accessions reflects the challenges and sensitivities of rapid, significant and uncertain changes in the global political economy. I am confident that the Secretariat will continue to provide solid technical support and work with Members to both support the aspirations of acceding governments and ensure that the rules-based Multilateral Trading System is safeguarded and strengthened.

3. The fundamental purpose of these Annual Reports is to inform Members of accession-related developments. These reports also monitor how accession results and the performance of Article XII Members are contributing to safeguarding,

consolidating and strengthening the WTO. This is why annual reporting on operational developments is combined with a thematic focus. The thematic focus this year is on the systemic obligation of transparency and its implementation. Section V reviews specific transparency commitments, compliance with notification obligations by Article XII Members and, compares these to the compliance of original Members. The transparency obligation is one of the pillars of the rules-based Multilateral Trading System. It is necessary for the functioning of the system because it creates predictability, confidence, directs the floodlights of an open trading system on the latest and less detectable forms of protectionism, and is a companion to WTO Dispute Settlement. This year's review shows that the range of transparency commitments of Article XII Members has exceeded those of original Members. Compared, on implementation, Article XII Members have had a consistently higher average notification rate than original Members. On average, Article XII Members submitted between 5 to 11 more notifications annually, compared to an original Member. This has improved the Membership's overall compliance rate with WTO notification requirements. As a consequence, transparency commitments in Accession Protocols have reinforced and enhanced existing transparency requirements under the WTO Agreement. In sum, accession process and results have contributed to the overall drive of the WTO to enhance systemic transparency and ensure stability, security and predictability.

4. After the most recent accessions, there are 23 Working Parties (WPs), of which approximately 13 are active. On the substance of these WPs, last September, the Working Party on the Accession of Yemen concluded its work. The Report of the Working Party was adopted *ad referendum*. The formal decision on the terms of membership will be taken by Members at the Ninth Ministerial Conference in Bali. Significant technical work has been undertaken on several. The WPs on the Accessions of Bosnia and Herzegovina and Kazakhstan have advanced to their final stages. On the Accession of Kazakhstan, a

major challenge is the question of tariff adjustment and associated compensation. This question is rooted in the differences between the tariff concessions by Kazakhstan in its Consolidated Draft Goods Schedule, the Goods Schedule of the Russian Federation and the Common External Tariff (CET) of the Customs Union (CU). This tariff question is complex and unique; the system has never addressed a similar situation before. Next year, different approaches will be explored and taken forward to find a solution.

5. Technical work was significantly advanced on the Accessions of Afghanistan, The Bahamas and Seychelles. These accessions are entering into decisive stages and will be in technical focus in 2014, as reflected in the Evolving Calendar of Accessions Meetings (ECAM).

6. The combination of technical assistance and outreach by the Secretariat are key in supporting Members and Acceding Governments in their negotiations; and improving understanding of the meaning of the effects and results from accessions for the future of the Organization. This is why we have maintained the "dialogue" in the annual outreach cycle with WTO regional groups and different coalitions. I intend to take this dialogue further and deeper in 2014, as part of the regular work of the Organization. In this regard, the contributions of Working Party Chairpersons are vital. Their efforts have been instrumental in working with Acceding Governments to explain and encourage and provide good offices to resolve difficulties in bilateral negotiations, when the relevant parties request such assistance.

7. We have gained accelerated traction on accession-specific technical assistance. This has been due, in large part, to specialized programmes and activities by several Members, including Australia, Brazil, China, the European Union (EU) and its individual member states, India and the United States (US). I would like to convey my sincere appreciation to these Members and others and urge them to sustain the momentum in 2014.

8. This is my first Annual Report on Accessions. I would like to re-iterate that it is a strategic priority for me as Director-General. I invite Members to review and comment on the contents of this report. I reaffirm my full commitment, in coordination with Members, to continue working with the Secretariat to upgrade and improve on our delivery to the entire Membership.

II. 2013 DEVELOPMENTS

(A) ACCESSION WORKING PARTIES: AN OVERVIEW OF ACTIVITIES

9. In the year under review, 24 acceding governments were in the process of WTO accession (see Annex 3). Accession negotiations are managed by a combination of formal and/or informal multilateral, Plurilateral and bilateral meetings (see Annex 1). In the year under review:

- Eleven (11) formal Working Party meetings were held. These were on the Accessions of: Afghanistan (one¹ meeting); Algeria (one² meeting); Bosnia and Herzegovina (two³ meetings); Kazakhstan (four⁴ meetings); Serbia (one⁵ meeting); and Seychelles (two⁶ meetings);
- One (1) final formal Working Party meeting was convened on the Accession of Yemen on 26 September 2013. At this meeting, the Draft Accession Package of Yemen was adopted on an *ad referendum* basis by the Working Party;
- One (1) informal consultation/meeting took place (Belarus); and
- Eleven (11) Plurilateral meetings addressed specific technical issues (e.g. agriculture; SPS; TBT; TRIMs) on the Accessions of Afghanistan; Algeria; Bosnia and Herzegovina; Kazakhstan and Seychelles.

¹ July 2013

² April 2013

³ March and June 2013

⁴ Cycle of meetings took place in the months of March; June; July and October.

⁵ June 2013

⁶ June and November 2013

10. In 2013, documentation progress was registered as follows:

- a Memorandum on the Foreign Trade Regime (MFTR) was circulated for the Working Party on the Accession of the Union of the Comoros;
- a Factual Summary of Points Raised (hereafter "Factual Summary") was prepared by the Secretariat for the Working Party on the Accession of The Bahamas and forwarded to Nassau for factual updates and comments;
- the Elements of a draft Working Party Report were circulated for the Working Party on the Accession of Seychelles;
- first versions of a draft Report of the Working Party were circulated for the Working Parties on the Accessions of Afghanistan; Azerbaijan and Seychelles;
- draft Reports were revised by the Secretariat for three Working Parties - Algeria; Bosnia and Herzegovina (two revisions); Kazakhstan (four revisions); and
- the Draft Accession Package of Yemen, adopted on an *ad referendum* basis, was re-issued in the WT/ACC- and Ministerial Conference series, for formal action by the 9th WTO Ministerial Conference in Bali⁷.

(B) WORKING PARTY CHAIRPERSONS

11. One new Working Party Chairperson was appointed at the end of 2012, and two new Working Party Chairpersons were appointed in 2013. Specifically, following consultations with WTO Members, the Chairperson of the General Council announced that

- a. H.E. Ambassador Selim KUNERALP (Turkey) was appointed Chairperson of the Working Party on the Accession of Belarus in December 2012⁸;
- b. H.E. Ambassador CHOI Seokyoung (Korea) was appointed Chairperson of

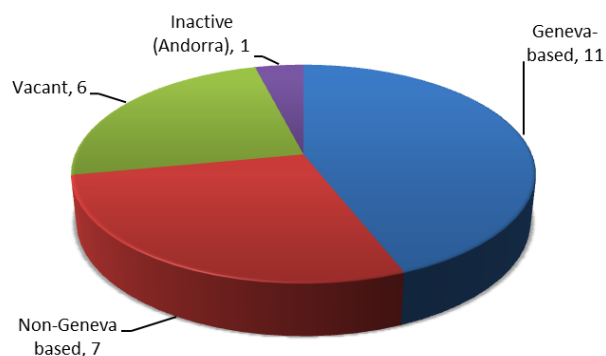
the Working Party on the Accession of Uzbekistan in January 2013⁹; and

- c. H.E. Ambassador Luis Enrique CHÁVEZ BASAGOITIA (Peru) was appointed Chairperson of the Working Party on the Accession of the Union of the Comoros in September 2013.¹⁰

Traditional background briefings for all three new Chairpersons were organized by the WTO Secretariat.

12. At present, there are six Chairmanship vacancies (see Figure 1 and Annex 3). These vacancies include the accessions at the initial stages, where no documentary basis for work exists at this time, i.e. the Memoranda on the Foreign Trade Regime (MFTRs)¹¹ and initial market access offers are yet to be submitted to the WTO Secretariat.

Figure 1 - Accession Working Party Chairmanships in 2013, by number



13. In 2013, there were three visits to Seychelles. In February, the Chairperson of the Working Party on the Accession of the Republic of Seychelles and the WTO Secretariat visited Victoria. The purpose of this visit was to consult with Senior Officials

⁹ Announcement by the General Council Chairperson by fax communication, dated 25 January 2013

¹⁰ Announcement by the General Council Chairperson by fax communication, dated 18 September 2013

¹¹ Prepared by the acceding government, the MFTR is a document, which provides factual information on the acceding government's foreign trade regime. Once circulated, it triggers the Working Party process and serves as a basis for the examination of the acceding government's foreign trade regime by Members. The practice has emerged to appoint a Working Party Chairperson following the submission of the MFTR and Replies to Questions on the MFTR.

⁷ WT/MIN(13)/4; WT/MIN(13)/4/Add.1; WT/MIN(13)/4/Add.2

⁸ Announcement by the General Council Chairperson by fax communication, dated 18 December 2012

of the Government of the Republic of Seychelles to identify steps that needed to be taken to substantively advance the WTO accession of Seychelles. This was followed-up, in April, by a technical assistance mission by the Accessions Division, and at the end of July, by a Secretariat-organized Customized Technical Assistance and Capacity-Building Workshop, which was led by the Chairperson of the Working Party. On the margins of this Workshop, the Working Party Chairperson and the Director of the Accessions Division met with Authorities at all levels of Government to facilitate the WTO accession of Seychelles. One of the tangible results of the technical support provided on the Accession of Seychelles thus far is reflected in the substantive upgrade of the documentation from Factual Summary to Draft Working Party Report and improved market access offers.

14. The Chairperson of the Working Party on the Accession of Bosnia and Herzegovina and a Secretariat team visited Sarajevo in June 2013. In the course of the visit, the Delegation participated in a Round Table (RT) on the "White Paper on Bosnia and Herzegovina's Foreign Trade Policy", and held several meetings with the negotiating team to review and discuss outstanding work on the elements of the emerging draft Accession Package. The overall effort was to explain the accession process to the participating range of stakeholders and what WTO Membership would mean for Bosnia and Herzegovina.



Ambassador Istvan Major, Chairperson of the Working Party on the Accession of Bosnia and Herzegovina, IGA, 19 July 2013

(C) TRANSPARENCY IN THE ACCESSION PROCESS

15. Ensuring transparency and predictability in the accession process remain key priorities for the Membership and the WTO Secretariat. In 2013, transparency measures and initiatives introduced over the past four years have continued to be implemented and further strengthened.

i. Informal Group on Accessions (IGA)

16. The Informal Group on Accessions¹² held 9 meetings¹³ in 2013. Consultations in the Informal Group were focused on: (i) sharing and exchanging accessions-related information with Members; (ii) Secretariat reports to Members on technical developments in accession processes; (iii) reports to Members by Chairpersons of Working Parties on the results of their country visits; (iv) planning accession meetings and related activities, based on the Evolving Calendar of Accession Meetings (ECAM) proposed by the Secretariat; and (v) addressing specific concerns raised by Members and Acceding Governments.

¹² Chaired by the WTO Secretariat

¹³ 25 January 2013; 27 February 2013; 22 March 2013; 26 April 2013; 30 May 2013; 24 June 2013; 19 July 2013; 20 September 2013; and 8 November 2013.

ii. WTO Accessions Newsletter

17. The WTO Accessions Newsletter provides Acceding Governments, Chairpersons and Members with a summary report of the meetings of the Informal Group on Accessions (IGA). The Newsletter also contains operationally relevant information to assist with the preparations for meetings and negotiations associated with their accession. It is one of several practical steps by the WTO Secretariat to ensure transparency on accession matters.¹⁴ Since mid-2013, the preparation of the Newsletter has also been used as a "training instrument" for Secretariat Accession interns, including participants in the China and LDCs' Accession Internship Programme. These Newsletters are prepared under various levels of internal Secretariat supervision. The Secretariat prepared 10 WTO Accessions Newsletters this year.¹⁵

iii. 2013 Annual Outreach Dialogue with WTO groupings

18. In 2013, the practice of outreach with various WTO groupings was deepened to reflect focus on specific questions and concerns of each WTO Membership grouping. The overall purpose is to report to Members on activities in the calendar year, ask for Members' feedback and identify concerns to be addressed. This year, the Secretariat met with the LDCs' Consultative Group¹⁶, the Informal Group of Developing Countries¹⁷, the Asian Group of Developing Members¹⁸, the GRULAC¹⁹, the African Group²⁰ and the Arab Group²¹. In these meetings, the Secretariat briefed the Groups on the state-of-play of accessions; reported on Secretariat activities; exchanged views on the responsibilities of regional neighbours/groups; discussed Acceding Governments' and Members' concerns raised; and consulted on accessions in technical

focus for 2014. These outreach activities have assisted in building greater ownership for WTO accessions.

(D) TECHNICAL ASSISTANCE AND OUTREACH

19. "Accessions" and "Post-accession issues" are two of the four broad-based technical assistance (TA) priority areas identified in the WTO Biennial Technical Assistance and Training Plan for 2012-2013 (hereinafter "the Plan").²² In the Plan, priority attention has been accorded to acceding Least-developed countries (LDCs).

20. Traditionally, accession-related technical assistance and capacity-building focus on training for government officials. These activities also cover outreach and awareness-raising activities for Parliamentarians, the private sector, academia, civil society and the media.

21. In 2013, technical assistance and capacity-building activities included: (i) national seminars; (ii) sessions on accessions in advanced trade policy courses, regional courses and introductory courses for LDCs; (iii) workshops; (iv) technical missions; (v) Working Party Chairpersons' visits; (vi) establishment / upgrade of WTO Reference Centres; (vii) e-Learning; (viii) outreach dialogue with WTO groupings; and (ix) participation in conferences. As part of the Secretariat objective to enhance transparency, the Secretariat has also provided detailed information to newly arrived Delegates in Geneva during the 2013 WTO Introduction Days (in March and November). Customized briefings on accessions for delegations (including non-residents) were also provided during the 26th and 27th Geneva Week, held in May and November 2013.

22. In addition to these activity types (modes of TA delivery), the Secretariat also initiated and/or participated in video conferences; telephone conferences; and dedicated electronic exchanges, in the supply of accession-related TA and the formation of institutional partnerships. In the year under

¹⁴ In 2013, the number of registered recipients of the newsletter rose to 505.

¹⁵ January; February; March; April; May; June; July; September; September Special Edition; November See: http://www.wto.org/english/thewto_e/acc_e/newsletter_archive_e.htm

¹⁶ 22 May 2013

¹⁷ 25 June 2013

¹⁸ 15 July 2013

¹⁹ 28 October 2013

²⁰ 28 October 2013

²¹ 1 November 2013

²² WT/COMTD/W/180/Rev.1.

review, these modes of supply have been used, for example, on the Accessions of Afghanistan, The Bahamas, Liberia, Iraq and Seychelles.

23. In the course of the year, Acceding Governments were invited to participate in over 100 WTO TA activities. Six Acceding Governments acted as hosts for some of these activities - Azerbaijan (July); Ethiopia (January, March and June); Bosnia and Herzegovina (June and October); Iran (May); Kazakhstan (October); and, Seychelles (February, April, July and August).

24. Accession-related TA and capacity-building were also provided by other institutions, and often in partnership with WTO Members. The WTO Secretariat participated in events organized by various multilateral, regional and/or national institutions and business associations. These activities took place in Paris, Istanbul and Astana. They provided opportunities for outreach, knowledge sharing and information to participants about WTO accessions.

25. Of particular note is the collaboration with the International Trade Centre (ITC) under the Joint WTO-ITC Programme of Trade Capacity for Acceding LDCs, launched on 1 December 2009. This Joint Programme focuses on the private sector's trade-related TA and capacity-building needs. For the period under review, support under this programme was extended to Yemen (LDC) and the African region. This Joint Programme is designed to assist the private sector, parliamentarians and government officials in enhancing their understanding of the accession process and WTO Membership, as well as in building capacity among the business community to identify and seize new trade and investment opportunities.

i. Global Seminar on WTO Accessions

26. The first Global Seminar on WTO Accessions took place from 23 to 27 September 2013, in Geneva. The seminar provided an opportunity for officials of Acceding Governments and WTO Members to exchange views, share experiences and best-practices on accessions. The main objectives

were to: (i) strengthen the expertise of accession negotiators; (ii) initiate the process of stocktaking of the results from the 31 concluded Article XII accessions; and (iii) review how these results have served to safeguard and strengthen the rules-based Multilateral Trading System.



WTO Director-General Roberto Azevêdo and Mr Chiedu Osakwe, Director of the Accessions Division at the Global Seminar on WTO Accessions, Geneva, 23 September 2013

27. Sixty (60) participants were registered for the seminar.²³ The various sessions of the Seminar were covered by Working Party Chairpersons; representatives of WTO Members; Acceding Governments; and the WTO Secretariat. As part of the programme, the participants also attended the Final Meeting of the Working Party on the Accession of Yemen on 26 September 2013. The feedback received following the activity indicated that WTO Members and Acceding Governments specifically valued the roundtable sessions with former Chief Negotiators and Working Party Chairpersons.

²³ 50 officials from 18 acceding governments; and 10 officials from 10 WTO Member governments. This figure does not include the participants with a regular badge to the WTO (i.e. Delegates and Secretariat) or those that participated with daily visitor badges (i.e. representatives of other Geneva-based international organizations).



Global Seminar on WTO Accessions, Geneva, 23 September 2013

28. Another Global Seminar on WTO Accessions is envisaged in the Biennial TA Plan for 2014-2015²⁴.

ii. China LDCs' and Accessions programme

29. China's "Least Developed Countries (LDCs) and Accessions Programme" (hereafter: China Programme) was established by the Government of China with the WTO on 14 July 2011. It was renewed and extended by the Government of China with a contribution of US\$400,000 in July 2012. The China Programme is aimed at strengthening LDCs' participation in the WTO and assisting acceding LDCs in joining the WTO. The China Programme comprises three main pillars: (a) the WTO Accessions Internship Programme; (b) an annual high-level WTO Accessions Round Table Meeting; and (c) support to improve the participation of officials of LDCs in WTO meetings.



China's LDCs and Accessions Programme Interns, 29 April 2013

30. In the year under review, five more interns²⁵ benefited from this Programme. Two new interns have been selected for the next cycle, which is expected to start in January 2014.

iii. Second China Round Table on Accessions

31. The Second High-Level Round Table (RT) on WTO Accessions took place in Luang Prabang, Lao PDR, from 15 to 18 October 2013. The theme of this year's RT was the "Future of the Multilateral Trading System: Perspectives of LDCs and Article XII Members". The purpose of the Round Table was to: (i) review contributions of WTO accessions to the rules-based Multilateral Trading System; (ii) initiate the process of stocktaking of accessions in view of MC9; (iii) identify priorities, within an overall plan, to support the remaining acceding LDCs; and (iv) reinforce the network of acceding LDCs' Chief Negotiators.

32. The thematic focus of this year's Round Table was on the Future of the Trading System: Perspectives of Article XII Members and Least-Developed Countries (LDCs). There were six sessions at the RT. The starting point was a review of the main features defining the contemporary global economy and the identification of the main developments with implications for trade policy both within the WTO and the wider global trading system. Dedicated sessions addressed questions ranging across the contributions of WTO Accession to the Multilateral Trading System (MTS); the Macroeconomic Implications of WTO Accessions; the Future of the MTS; Effective Participation of Article XII Members and Acceding Governments in the MTS; and, Technical Assistance and Capacity Building. The representative of Indonesia briefed the RT participants on the arrangements for the 9th WTO Ministerial Conference (MC9) in Bali, 3 to 6 December, and underlined the priorities and highlighted the issues at stake. The Round Table unanimously supported the deliverables for the 9th WTO Ministerial Conference.

²⁴ WT/COMTD/W/200, dated 17 October 2013

²⁵ 2nd intern cycle: Colombia and Ethiopia; 3rd intern cycle: China and Nigeria; 4th intern cycle: Yemen

33. Mr. Nam Viyaketh (Lao PDR), Minister of Industry and Commerce and host of the Round Table, on his own responsibility and with the agreement of the Round Table, addressed a Final Statement to me, as Director-General, and the Chairperson of the General Council, requesting that the Statement be circulated, as a document of the General Council and the 9th WTO Ministerial Conference.²⁶

34. Thirty-six (36) participants attended the Round Table. These included the Deputy Prime Minister of Samoa, Ministers and Deputy Ministers²⁷, representatives of the World Bank, the International Monetary Fund (IMF) and the International Trade Centre (ITC). The RT benefitted from the contributions of leading trade economists.²⁸

(E) ACCESSIONS TOOLBOX (ATB)

i. Accession Commitments Database (ACDB)

35. The Accession Commitments Database (ACDB) was launched in May 2012. It provides access to all accession commitments and related information contained in Accession Working Party Reports and the Accession Protocols of the 31 Article XII Members. The ACDB is available in the three official languages on the WTO public website (<http://acdb.wto.org>).

36. In 2013, the ACDB was updated to include the accession commitments of Lao PDR and Tajikistan. The ACDB will be further updated to include the accession commitments for the most recently completed accession, i.e. Yemen, following formal action by the Ninth WTO Ministerial Conference in Bali, in December.



Trade Data Day, Geneva, 16 January 2013

ii. Electronic Resources on the Members' Website

37. Accessions-related resources can be accessed on the secure, password-protected Members' WTO website. The platform provides Members also with access to the electronic versions of legislation ("E-legislation link") and other consultation documents submitted by acceding governments.

38. The Register of Bilateral Market Access Agreements contains basic information regarding the bilaterals that have been deposited with the Secretariat, namely: the sector of the agreement (goods, services, or both); and the dates of signature and deposit. The substantive content of the bilateral agreements shall, in accordance with long-standing practice, remain strictly confidential. Reports generated by the Register are also available on the secure Members' WTO website.

iii. WTO Accessions Information Management System Database (AIMS DATABASE)

39. In 2013, the WTO Accessions Division continued its work on creating an Accessions Information Management Systems Database (AIMS database). The purpose of the AIMS database would be to efficiently manage and organize Secretarial (Divisional) data, so as to provide easier access to available information. A short-term result of the AIMS database would be enforced data integrity by providing easier access not only to the official WT/ACC-; WT/ACC/SPEC-; or JOB/ACC-documents, circulated as part of the WTO

²⁶ WT/ACC/20, WT/GC/153 and WT/MIN(13)/2

²⁷ Cambodia; China; Lao PDR; Liberia; Sao Tome and Principe; Tajikistan

²⁸ 5 officials from 4 acceding governments; and 20 officials from 8 WTO Members

accession processes, but also for access to internal documents, for example, correspondence, speaking notes and background briefing notes. In the long term, the AIMS database would have links to: (i) other WTO databases, as part of the Secretariat-wide project of integrating WTO databases; and, (ii) the accessions section on the Members' WTO website. The greater the transparency and ease of access to accession-related information, the greater the ownership for results from WTO accession processes. More open systems are stronger and more credible.

40. In 2012, the AIMS database team completed phases 1 and 2 of the project, namely, the examination and review of existing accession-related data and its respective categorization. This year, between January and June 2013, the Division managed to conclude the third phase of the project, the transfer of data into the developed categories. The next phases, in 2014, will include the conversion of the categorized and transferred data into database format and the development of an initial interface (phases 4 and 5).

41. The AIMS database would be initially for internal use only (Divisional and Secretariat-wide). Password access would allow users to access either the entire AIMS database or only its subsets.

III. STATE-OF-PLAY IN ACCESSION WORKING PARTIES

42. WTO accessions advance on the basis of interdependent tracks of multilateral, plurilateral and bilateral negotiations. In the period under review, the Accession of Yemen was concluded. While some accessions progressed considerably in 2013, others have not advanced as planned due to a range of factors, including, but not limited to, continued negotiations with Members; technical complexities; domestic challenges; political choices to delay for more impact analysis, for example, re-ordered priorities, and/or immediate post-conflict situations.

43. Afghanistan: The 4th Meeting of the Working Party was held in July 2013. The

first version of the Draft Working Party Report was circulated in June 2013. Bilateral market access negotiations with interested Members are ongoing on the basis of an initial market access offer on goods, circulated in November 2012, and an initial market access offer on services, circulated in June 2012. Three bilateral agreements have been deposited with the WTO Secretariat (Canada, Japan and Korea). Afghanistan's accession is technically advanced and rapidly maturing. The next meeting of the Working Party will be convened in the first quarter of 2014.

44. Algeria: The 11th Meeting of the Working Party was held in April 2013. The latest version of the Draft Working Party Report was circulated in February 2013. Bilateral market access negotiations are ongoing with interested Members on the basis of revised market access offers on goods, circulated in February 2013; and services, circulated in January 2013. Four bilateral agreements have been deposited with the WTO Secretariat (Brazil, Cuba, Switzerland and Uruguay). The next meeting of the Working Party is envisaged for the first quarter of 2014, subject to a complete set of updated technical inputs.



11th Meeting of the Working Party on the Accession of Algeria, Geneva, 5 April 2013

45. Andorra: The Working Party held its first and only meeting in October 1999. This accession process is inactive, and there are no indications of any intentions to re-start the process.

46. Azerbaijan: The 10th Meeting of the Working Party was held in December 2012. The WTO Secretariat was mandated to

upgrade the documentation, from the Factual Summary of Points Raised to a Draft Working Party Report. Bilateral market access negotiations with interested Members are ongoing on the basis of revised market access offers on goods, circulated in September 2013, and on services, circulated in October 2013. Four bilateral agreements have been deposited with the WTO Secretariat (Kyrgyz Republic, Oman, Turkey and United Arab Emirates). The 11th Meeting of the Working Party is envisaged for February 2014.

47. Belarus: The last Meeting of the Working Party was held in May 2005. Informal Consultations took place in May 2013. The latest version of the Factual Summary of Points Raised was circulated in November 2012. At this meeting, Belarus was asked to submit a complete set of updated technical inputs. The WTO Secretariat was mandated to revise the Factual Summary on the basis of these inputs. Belarus was also asked to submit revised market access offers for goods and services. One bilateral market access agreement (with Cuba) has been deposited with the WTO Secretariat. The next Working Party meeting will be scheduled as soon as all relevant technical inputs have been received from Minsk, including the revised market access offers on goods and services; the revised Factual Summary of Points Raised has been prepared and circulated; and, the Chairperson of the Working Party has consulted with Members regarding the substance of circulated inputs.

48. Bhutan: The Working Party has held four Working Party meetings. The most recent was in January 2008. The latest market access offers on goods and services were circulated in November 2007. The latest version of the Draft Working Party Report was circulated in December 2007. The WTO Secretariat prepared a revision of the draft Report in 2008, but Bhutan is yet to submit its comments on the revised draft. Although this accession is *de facto* inactive, at the Second China Round Table in Luang Prabang in October 2013, the representative of Bhutan informed participants that the new

Government was reviewing the dormant WTO accession process of his country.

49. Bosnia and Herzegovina: The Working Party held two meetings in 2013, the first in March and the second in June. The latest version of the Draft Working Party Report was circulated in May 2013. Eleven bilateral agreements have been deposited with the Secretariat on goods (Canada, the Dominican Republic, El Salvador, the European Union, Honduras, India, Japan, Korea, Mexico, Norway and Switzerland); and seven bilateral agreements deposited on services (Canada, the European Union, India, Japan, Korea, Norway and Switzerland). Bilateral market access negotiations with other interested Members are ongoing. The next Working Party meeting is expected to be the final meeting. The purpose of the next and final Working Party meeting would be to adopt the Draft Working Party Report, on an *ad referendum* basis.



12th Meeting of the Working Party on the Accession of Bosnia and Herzegovina, Geneva, 6 June 2013

50. The Union of the Comoros: The Memorandum on the Foreign Trade Regime (MFTR) was circulated on 25 October (WT/ACC/COM/3). The Working Party Chairperson was designated on 18 September. The First Meeting of the Working Party would be scheduled as soon as Comoros completes its first cycle of Questions and Replies with Members.

51. Ethiopia: The 3rd Meeting of the Working Party took place in March 2012. At this meeting, the Working Party mandated the WTO Secretariat to upgrade the Factual Summary of Points Raised to an Elements of a Draft Working Party Report. The initial

market access offer on goods was circulated in February 2012. The next Working Party meeting will be scheduled as soon as Ethiopia submits the required inputs (i.e. replies to Members' questions) for the preparation of the Elements of the Draft Working Party Report, and its initial market access offer on services.

52. Islamic Republic of Iran: The Memorandum on the Foreign Trade Regime (MFTR) was circulated in November 2009. Questions from Members on the MFTR were forwarded to the Government of the I.R. of Iran in February 2010. Technical inputs, including the replies to Members' questions, were circulated in 2011. Before a Working Party meeting can be convened, consultations with Members would need to be undertaken by the Chairperson of the General Council for the designation of a Chairperson of the Working Party.

53. Iraq: The Working Party has held two meetings, the most recent in April 2008. Iraq has provided a number of documentary inputs requested by the Working Party. Iraq has yet to submit its initial market access offers on goods and services. The next Working Party meeting would be scheduled as soon as Iraq submits its initial market access offers.



Meeting between DDG Shark and Mrs. Zhanar Aitzhanova, Minister for Economic Integration of Kazakhstan and Chief Negotiator, Geneva, 7 October 2013

54. Kazakhstan: In the year under review, there were four cycles of meetings of the Working Party on the Accession of Kazakhstan (March, June, July and October). The latest version of the Draft Working Party

Report (DWPR) was circulated in September 2013. The draft chapters on "Agriculture Policies" and "Sanitary and Phytosanitary Measures" have not yet been incorporated in the DWPR. These two chapters are being reviewed at Plurilateral Meetings, chaired by the Secretariat. On agriculture, a revised proposal was made by the Delegation of Kazakhstan in September 2013, and Members are engaging on the basis of this proposal²⁹. On bilateral market access negotiations, 29 bilateral agreements on goods³⁰; and 14 bilateral agreements on services³¹ have been deposited with the WTO Secretariat. On goods, the Consolidated Draft Goods Schedule was circulated to Signatory Members and the Acceding Government in September 2012; and "accepted" as "basis for the tariff adjustment exercise". This exercise is underway with relevant Members to take account of and address the differences between the tariff concessions by Kazakhstan in its Consolidated Draft Goods Schedule, the Goods Schedule of the Russian Federation and the Common External Tariff (CET) of the Customs Union (CU). On services, the Secretariat prepared the Consolidated Draft Services Schedule and forwarded it to Astana for technical verification in March 2013. Kazakhstan is currently consulting with Members on technical matters pertaining to the Consolidated Draft Services Schedule. Upon receipt of the Draft Services Schedule from Astana, the Secretariat will circulate it to all Signatory Members, and convene a Technical Verification Meeting. The Working Party has advanced to its final stages. A major challenge on this accession remains the question of tariff adjustment and associated compensation. In addition, other issues remain outstanding. These include, *inter alia*, local content requirements; tariff rate quotas; VAT preferences; agriculture;

²⁹ JOB/ACC/36/Rev.5

³⁰ Argentina; Australia; Brazil; Bulgaria; Canada; China; Cuba; Dominican Republic; Ecuador; Egypt; El Salvador; the European Union; Georgia; Guatemala; Honduras; India; Israel; Japan; Korea; Kyrgyz Republic; Malaysia; Mexico; Norway; Oman; Pakistan; Saudi Arabia; Switzerland; Turkey; and the United States

³¹ Australia; Brazil; China; Canada; Egypt; the European Union; India; Japan; Korea; Norway; Saudi Arabia; Switzerland; Chinese Taipei; and the United States

export duties; TRIMs; and SPS. Finally, the WTO Secretariat is assisting Kazakhstan in the preparation of its Draft Schedule on ITA (Information Technology Agreement).

55. Lebanese Republic: The 7th Meeting of the Working Party was held in October 2009. The latest revision of the Draft Working Party Report was circulated in October 2009. The next meeting of the Working Party will be convened after the Lebanese Republic submits the necessary inputs.

56. Liberia: The Working Party held the 1st Meeting of the Working Party in July 2012. At this meeting, the Working Party mandated the WTO Secretariat to prepare the first version of the Factual Summary of Points Raised. The next Working Party meeting will only be convened once Liberia submits the pending technical inputs for the preparation of the Factual Summary, i.e. replies to Members' questions; a Legislative Action Plan; other supporting documents; and the initial market access offers on goods and services.

57. Serbia: The 13th Meeting of the Working Party was held in June 2013. The latest version of the Draft Working Party Report was circulated in October 2012. Twelve (12) bilateral agreements on goods (Canada, Dominican Republic, Ecuador, El Salvador, the European Union, Honduras, Japan, Korea, Mexico, Norway, Panama and Switzerland) and nine (9) bilateral agreements on services (Canada, Dominican Republic, the European Union, Japan, Korea, Mexico, Norway, Panama and Switzerland) have been deposited with the WTO Secretariat. Bilateral market access negotiations with other interested Members are ongoing. The next Meeting of the Working Party would be convened when outstanding domestic legislative action (pertaining to, *inter alia*, commodity reserves; commodity exchange; GMOs; and services) has been completed by Serbia.

58. Sudan: The Working Party has held two meetings. The most recent meeting was held in March 2004. A Factual Summary of Points Raised was circulated informally in September 2004. Two signed bilateral

market access agreements have been deposited with the Secretariat (Brazil and China). Updated technical inputs are pending, but more significantly, legislative and constitutional updates following the independence of South Sudan in 2012. The Secretariat has been in regular technical contacts with Sudan to identify areas where updated materials and information are required. This accession is dormant.



4th Meeting of the Working Party on the Accession of the Republic of Seychelles, Geneva, 21 June 2013

59. Seychelles: The 4th Meeting of the Working Party was held in June 2013. At this meeting, the Working Party mandated the WTO Secretariat to upgrade the Elements of a draft Report to a Draft Working Party Report. The first version of the Draft Working Party Report was circulated in September 2013. Five bilateral agreements on goods (Canada, the European Union, Mauritius, Oman and South Africa) and four bilateral agreements on services (Canada, the European Union, Switzerland and South Africa) have been deposited with the WTO Secretariat. Bilateral market access negotiations with other Members are ongoing. The next Meeting of the Working Party is scheduled for 15 November 2013.

60. The Bahamas: The 2nd Meeting of the Working Party was held in June 2012. At this meeting, the Working Party mandated the WTO Secretariat to prepare a first version of the Factual Summary of Points Raised. In

August 2013, the WTO Secretariat received relevant technical inputs from Nassau (i.e. a revised Legislative Action Plan; a legislation notice; information on important licensing procedures; a consolidated set of Questions and Replies; a revised market access offer on services; and a consolidated set of agriculture-specific Questions and Replies). Based on these technical inputs, the WTO Secretariat prepared a Factual Summary and forwarded it to Nassau for factual updates. The next Working Party meeting is envisaged for the first quarter of 2014, subject to the timely receipt of the Factual Summary from Nassau. Bilateral market access negotiations are ongoing with interested Members, on the basis of an initial market access offer on goods, circulated in March 2012, and a revised market access offer on services, circulated in August 2013.

61. Uzbekistan: The Working Party has held three meetings. The last meeting took place in October 2005. Before the next Working Party can be convened, Uzbekistan is required to submit updated documentary technical inputs, including information on its foreign trade regime; agricultural supporting tables; legislation and a Legislative Action Plan; revised market access offers on goods and services. This accession has been virtually dormant since 2005.

62. Yemen: The draft Accession Package was adopted, *ad referendum*, at the 11th and final Meeting of the Working Party, on 26 September 2013. The Working Party concluded its mandate and transmitted the Report on the Accession of the Republic of Yemen to the Ninth WTO Ministerial Conference in Bali, for formal action.



H.E. Dr. Saadalddeen Talib, Minister for Industry and Trade, at the 11th and Final Working Party Meeting on the Accession of Yemen, Geneva, 26 September

63. Equatorial Guinea, Libya, Sao Tomé and Príncipe, and the Syrian Arab Republic: These four acceding governments are in the initial stages of their accession processes. Their respective Working Parties were established by the General Council between July 2004 and May 2010. They have not yet submitted their respective Memoranda on the Foreign Trade Regime (MFTRs) to initiate the process of accession negotiations. Sao Tomé and Príncipe is subject to administrative measures in category III. The Syrian Arab Republic is subject to administrative measures in category I.³²

IV. LEAST-DEVELOPED COUNTRIES' ACCESSIONS

64. The year 2013 has been active for a number of Least-developed countries (LDCs). In February 2013, Lao PDR, an LDC, became the 158th WTO Member, while nine³³ other LDCs were in the process of accession. Later in the year, the Working Party on the Accession of Yemen concluded its mandate by adopting Yemen's Draft Accession Package, on an *ad referendum* basis, and forwarded it for formal action by the 9th Ministerial Conference in Bali. This has

³² General Council Procedures for Members and Observers Subject to Administrative Measures (WT/BFA/W/274)

³³ Afghanistan, Bhutan, the Union of the Comoros, Ethiopia, Equatorial Guinea, Liberia, Sao Tomé et Príncipe, Sudan and Yemen

further reduced the number of acceding LDCs to eight.

65. On its part, Afghanistan registered substantive progress in its accession in 2013. On current pace, the Draft Working Party Report is rapidly approaching its near-to-final version with only a few issues outstanding. There are several critical decisions that Afghanistan is required to take. It is expected that these decisions shall be taken in 2014. On the bilateral front, most bilateral market access negotiations have been concluded with only a few outstanding. Afghanistan's Negotiating Team is envisaged to be in Geneva in mid-November with the aim of concluding and signing several Bilateral Agreements with Members. The next cycle of meetings is envisaged for the first quarter of 2014.



4th Working Party Meeting on the Accession of Afghanistan, Geneva, 25 July 2013

66. Following the submission of the Memorandum on the Foreign Trade Regime (MFTR) by the Government of Comoros this year, the Chairperson of the General Council announced in September, the appointment of H.E. Mr. Luis Enrique Chávez Basagoitia (Peru) as Chairperson of the Working Party on the Accession of the Union of the Comoros. In accordance with practice, the Working Party Chairperson will consult on the timing of the first Working Party meeting, as soon as a first cycle of Questions and Replies, by Members and the Acceding Government, has been completed.

67. There have been no new technical accession-related developments to report for Ethiopia, Equatorial Guinea, Liberia, Sao Tomé and Príncipe and Sudan. Bhutan is

reviewing the status of its WTO accession process.

68. Although there are self-evident benefits from WTO Membership, WTO accession negotiations challenge all acceding governments, in particular Acceding LDCs. The terms and conditions of WTO membership entail domestic reforms. Acceding LDCs are challenged by limited technical and human capacity and financial resources to address the complexities of WTO accessions. In 2012, the General Council adopted the recommendations of the Sub-Committee on LDCs to further strengthen, streamline and operationalize the 2002 Decision on "The Accession of Least-Developed Countries"³⁴ (LDC Accession Guidelines). The recommendations were developed in line with the Decision adopted on 17 December 2011, at the Eighth WTO Ministerial Conference³⁵. The 2012 General Council Decision was adopted as an *Addendum* to the 2002 LDC Accession Guidelines³⁶.

69. The provision of customized technical assistance (TA) by the WTO Secretariat to acceding LDCs, at all stages of the WTO accession process, remained a priority in 2013. Technical assistance was provided to acceding LDCs through interactions with delegations in Geneva or in Capitals.



Workshop for Yemeni Parliamentarians, Geneva, 25 September 2013

³⁴ WT/L/508

³⁵ WT/L/846

³⁶ WT/L/508/Add.1

The China "Least-Developed Countries (LDCs) and Accessions Programme" has provided a significant boost to expanding LDCs' capacity for accession negotiations. So far, seven (7) China Accession interns have been trained.

70. In 2013, the WTO Secretariat continued its outreach dialogue with WTO regional groupings and the LDCs' Consultative Group³⁷.

V. WTO ACCESSIONS - TRANSPARENCY COMMITMENTS AND COMPLIANCE WITH NOTIFICATION OBLIGATIONS BY ARTICLE XII MEMBERS

1 INTRODUCTION

71. The thematic section of this Annual Report is aimed at providing an overview of the specific commitments on transparency undertaken by Article XII Members, and a snapshot of their compliance with WTO notification obligations.

72. Transparency is a key obligation of the Multilateral Trading System, which underpins all WTO Agreements. Adherence to transparency obligations is an invaluable tool for creating a predictable trading environment for all stakeholders and fending off protectionist pressures. The two fundamental requirements for ensuring transparency are publication of relevant information on trade and timely notification of new trade-related measures and legislation.

73. WTO Members place particular emphasis on transparency provisions in WTO accession negotiations. Specific accession commitments on notification and publication have therefore systematically been included in all Accession Protocols. These commitments seek to *reconfirm* and *strengthen* existing obligations under the WTO Agreement. The WTO accession process has thus been used as one of the instruments for enhancing transparency and safeguarding the rules of the Multilateral Trading System.

74. This section:

- outlines the established WTO requirements on transparency;
- identifies the intersection points between Accession Protocol commitments (as contained in Accession Working Party Reports) and WTO notification and publication obligations; and
- reviews empirical data for the 31 Article XII WTO accessions with a view to assessing their compliance with notification obligations.

2 WTO PUBLICATION AND NOTIFICATION OBLIGATIONS

2.1 WTO legal basis, rules and procedures

75. The WTO Glossary defines a WTO *notification obligation* as a *transparency obligation*, requiring WTO Members to report trade measures to the relevant WTO body if the measures might have an effect on other Members.³⁸

76. Article X of the GATT contains the core transparency provisions relating to trade in goods. It governs the publication and administration of trade regulations and stipulates two key principles - transparency in existing trade regulations and uniform application of these regulations³⁹. The transparency provisions stipulated in GATT Article X are reaffirmed throughout the WTO Agreement. Most publication requirements, such as Article X of the GATT 1994, Article III of the GATS or Article 63.1 of the TRIPS Agreement, are also subject to notification obligations. In addition to these general obligations, detailed notification requirements are also prescribed in the individual WTO Agreements dealing with a

³⁸

http://www.wto.org/english/thewto_e/glossary_e/notification_e.htm

³⁹ Article X:1 stipulates that laws, regulations, judicial decisions and administrative rulings of general application "shall be published promptly in such a manner as to enable governments and traders to become acquainted with them". Any agreements affecting international trade policy shall also be published. Article X:2 prescribes that measures affecting trade be published prior to their application ("enforcement"). Article X:3 stipulates that laws, regulations, decisions and rulings be applied in a uniform, impartial and reasonable manner.

specific area of trade rules. For example, in the case of services, Article V:7(a) of the GATS provides for a notification requirement concerning regional trade agreements (RTAs) and preferential trade agreements (PTAs); and Article III:5 of the GATS provides for third party notification.

77. The *timely notification and publication of trade measures* were recognized as key principles of the Multilateral Trading System in the GATT "Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance" of 28 November 1979⁴⁰:

"contracting parties ... undertake, to the maximum extent possible, to notify the Contracting Parties of their adoption of trade measures affecting the operation of the General Agreement, [...]. Contracting parties should endeavour to notify such measures in advance of implementation. [...] [In] cases, where prior notification has not been possible, such measures should be notified promptly *ex post facto*."

78. The 1994 WTO Decision "On Notification Procedures" builds on the 1979 Understanding and puts forward an indicative list⁴¹ of notifiable measures. This Decision contains five key elements:

- a. a general obligation to notify in accordance with the "Understanding Regarding Notification, Consultation, Dispute Settlement and Surveillance" of 28 November 1979;
- b. an objective to "improve the operation of notification procedures under the WTO Agreement [and] thereby contribute to the transparency of Members' trade policies and to the effectiveness of surveillance arrangements";
- c. a reference to the obligations under the WTO Agreement to publish and

notify "including obligations assumed under the terms of *specific protocols of accession*, waivers, and other agreements entered into by Members";

- d. the establishment of a Central Registry of Notifications (CRN)⁴² for all notifications submitted by WTO Members, which would be managed by the Secretariat; and
- e. the Council for Trade in Goods would undertake a review of notification obligations and procedures under the Agreements in Annex 1A of the WTO Agreement.⁴³

79. Most WTO Agreements contain a one-time notification (OTN) provision/requirement, i.e. notifications that require to be submitted only once, as well as provisions that stipulate regular/periodic or *ad hoc* notification obligations. The scope and content of these notifications vary from Agreement to Agreement.

80. Transparency and notification provisions related to the schedules of concessions and commitments on goods⁴⁴ and the schedules of specific commitments on services are found, respectively, in the GATT 1994 and the GATS. Changes to the Schedules need to be duly notified in accordance with Article XXVIII of the GATT 1994 and Article XXI of the GATS.⁴⁵

⁴² Note: The CRN was established in 1995. It is a WTO computer database, which records all regular notifications received by the WTO and records descriptive information on each notification submitted.

⁴³ Note: For Intellectual Property Rights, see the Decision of the Council for TRIPS of 21 November 1995 on "Procedures for Notification of, and Possible Establishment of a Common Register of, national laws and regulations under Article 63.2" (IP/C/2), see also notification-related IP Decisions in IP/C/3, IP/C/4 and IP/C/5. For services, see "Guidelines for Notifications under the General Agreement on Trade in Services" (GATS), adopted by the Council for Trade in Services on 1 March 1995 (S/L/5) and Decision on the "Notification of the Establishment of Enquiry and Contact Points", adopted by the Council for Trade in Services on 28 May 1996 (S/L/23). For notification requirements under the Trade Policy Review Mechanism, see Annex 3 to the Marrakesh Agreement.

⁴⁴ See also General Council Decision on "The Supply of Information to the Integrated Data Base", adopted on 16 July 1997 (WT/L/225).

⁴⁵ Note: All relevant data on bound tariffs is available on the WTO website in the Consolidated Tariff Schedules database, and some Members' applied tariffs are available in the Integrated Database. Both of these databases are part of the Integrated Trade Intelligence Portal ("I-TIP").

⁴⁰ L/4907; BISD 26S/210

⁴¹ Note: This indicative list does not alter existing notification requirements in the Multilateral Trade Agreements in Annex 1A to the WTO Agreement or, where applicable, the Plurilateral Trade Agreements in Annex 4 of the WTO Agreement.

81. The WTO Secretariat has developed a Technical Cooperation Handbook on Notification Requirements (WT/TC/NOTIF-series)⁴⁶, which although partially outdated, remains relevant. Updated information on how to complete and fulfil the relevant WTO notification requirements can be found under each specific WTO Agreement, as well as in manuals, guidelines, notes or codes of good practice⁴⁷, which have been developed by Members, or mandated by Members and prepared by the Secretariat.

82. With regard to timelines, most notification requirements encourage prior notification of measures/regulations and some notification requirements stipulate a strict time period by which a notification has to be made. However, in most cases the notification provisions contained in the WTO Agreement or notification guidelines are worded as soft law and stipulate that notifications need to be made "promptly"⁴⁸.

2.2 Monitoring and Surveillance

83. A core element of work in WTO regular bodies is the monitoring and review of the implementation of the notification requirements under the WTO Agreement. WTO Committees and Councils provide a forum for the review of new or amended legislation/measures, as well as any other matters related to transparency and notification obligations. Each WTO Member undergoes a periodic peer review of its trade policies and practices in a trade policy review (TPR) prepared by the WTO Secretariat and the Member under review.

84. Additional transparency tools have also been mandated by WTO Members. The WTO Secretariat now periodically prepares trade monitoring reports and has developed a Trade Monitoring Database⁴⁹. The most recent monitoring report⁵⁰ indicates that, in the year under review, improved notification compliance rates were registered across all areas. Nonetheless, there remains scope for improvement with uneven and slow progress noted across WTO bodies.

85. According to data retrieved from the Central Registry of Notifications (CRN), actual effective compliance is relatively weak. Non-compliance with WTO notification obligations by WTO Members may be due to domestic human resource constraints; weak domestic coordination and administrative negligence; lack of technical infrastructure; and policy concerns. A number of challenges have been identified:

- a. while all notifications are channelled through the CRN, the monitoring of the effective implementation of notification requirements is dispersed and decentralised - domestically between various ministries and agencies, and in the WTO, among a number of WTO bodies;
- b. no penalties exist for late submissions;
- c. while most WTO Agreements stipulate a binding notification requirement, many of the specific provisions do not explicitly define detailed requirements, procedures, formats or time-frames.

3 ACCESSION NEGOTIATIONS AND WTO NOTIFICATION AND PUBLICATION REQUIREMENTS

3.1 Specific commitments undertaken in Article XII accession negotiations

86. WTO notification requirements are discussed in all Accession Working Parties and form an integral part of accession negotiations *and specific commitments*. In Accession Protocols, the majority of Article

⁴⁶ This series includes notification handbooks on the following areas of WTO rules: import licensing procedures; balance-of-payment provisions; tariffs and non-tariff measures; safeguards; State-trading enterprises; trade-related investment Measures; anti-dumping; agriculture; preshipment Inspection; RTAs; SCM; rules of origin; SPS; TBT; Textiles and Clothing; Customs Valuation; Trade Policy Review Mechanism; TRIPS; and the GATS.

⁴⁷ For example, the SPS Committee developed recommended procedures for implementing the transparency obligations under the SPS Agreement, which are available in document G/SPS/7/Rev.3. Another example for the SPS area is the WTO Secretariat "Procedural Step-by-Step Manual for SPS Notification Authorities & SPS National Enquiry Points". An example for another area is the TBT Code of Good Practice.

⁴⁸ For example, Articles 5.8 and 15.2, paragraph O of Annex 3 of the TBT Agreement; paragraphs 1 and 2 of Annex B of the SPS Agreement.

⁴⁹ This database compiles all the data from the regular trade monitoring reports, which are prepared by the WTO Secretariat.

⁵⁰ WT/TPR/OV/W/7

XII Members have made commitments reconfirming the principal WTO notification obligations. In addition, in some accessions, commitments have been further elaborated to strengthen existing notification obligations.

87. Accession Working Party Reports⁵¹ are developed over successive Working Party meetings on the basis of written questions and replies exchanged between Members and the acceding government. As each acceding government is unique, commitment paragraphs are negotiated as a function of the specificities of the particular legal and economic framework and the dynamics of negotiations with the Members of the Working Party⁵². Nevertheless, some patterns of commitment language have emerged over time.

88. The transparency chapter of Accession Working Party Reports is traditionally divided into two sub-sections - "publication of information on trade"; and, "notifications".

89. The first sub-section contains a description of the acceding governments' domestic regime for the publication of legislation. In some cases, the commitment does not only specify that the Member has to publish/notify a measure prior to its enforcement, but it also identifies the method of publication (Official Gazette/Journal, a newspaper or a website)⁵³; the level of detail

that would need to be attached to such a notification; and the period the Member would need to grant for consultation and comments, prior to enforcing the measure.⁵⁴ In other instances, the commitment includes a specific reference to the emergency and security exceptions granted under the WTO Agreement.⁵⁵

90. The second sub-section of the transparency chapter addresses notifications. Here, the emphasis has been on ensuring adherence to the general notification requirements of the WTO Agreement and, specifically, the effective implementation of initial notification requirements from the date of accession.

91. A review of the Accession Working Party Reports of the 31 Article XII Members indicates that

- a. 21 of 31 Article XII Members have undertaken specific commitments in the sub-section on publication of information on trade. Out of these, 5 Article XII Members were granted transitional periods for one part of their overall commitment by receiving a "grace period" for the establishment/designation of either an official journal or website.⁵⁶ (see Table 1 of Annex 4)
- b. 29 of 31 Article XII Members have undertaken specific commitments in the sub-section on notifications. Out of these, 4 Article XII Members were granted transitional arrangements to meet the general WTO notification requirements. Jordan, Lao PDR and Ukraine undertook

⁵¹ Note: Each accession Package contains 5 components: (i) Decision; (ii) Protocol of Accession; (iii) Accession Working Party Report; (iv) Services Schedule; and (v) Goods Schedule. The Decision, adopted by the General Council/Ministerial Conference, formally offers to the applicant the terms of accession contained in the Protocol of Accession and its Annexes. The Protocol of Accession cross-references all specific commitments undertaken by the acceding government, which are contained in the Accession Working Party Report. It also annexes the Services and Goods Schedules. Accession Working Party Reports comprises 7 principal chapters: Economic policies; framework for making and enforcing policies; policies affecting trade in goods; trade-related intellectual property rights; policies affecting trade in services; transparency; and trade agreements.

⁵² Accession Working Parties are WTO bodies established by the General Council with standard Terms of Reference. They examine the acceding government's foreign trade regime and identify the necessary domestic reforms to ensure conformity with the WTO Agreement. All aspects of the acceding government's foreign trade regime are reviewed to ensure compliance with WTO rules.

⁵³ Examples: Cambodia, paragraph 217 (journal or website); Cape Verde, paragraph 262 (official journal

or website); Lao PDR, paragraph 243 (official website or newspaper); Montenegro, paragraph 273 (website).

⁵⁴ Examples: Armenia, paragraph 215 (2 weeks); Bulgaria, paragraph 40 (two weeks); Cape Verde, paragraph 262 (reasonable period, i.e. no less than 30 days); China Protocol I.2(C) 1 and 3 (a reasonable period); Montenegro, paragraph 273 (reasonable period, i.e. no less than 30 days); Chinese Taipei, paragraph 219 (60 calendar days); Tajikistan, paragraph 343 (reasonable period, i.e. no less than 30 days); Viet Nam, paragraph 518 (no less than 60 days).

⁵⁵ Examples: Cape Verde, paragraph 262; Lao PDR, paragraph 243; Montenegro, paragraph 273; Samoa, paragraph 243; Saudi Arabia, paragraph 305; Chinese Taipei, paragraph 219; Tajikistan, paragraph 343; Tonga, paragraph 180; Ukraine, paragraph 499; Vanuatu, paragraph 134; Viet Nam, paragraph 518.

⁵⁶ Lao PDR; Montenegro; Tajikistan; Ukraine; and Vanuatu

the specific obligation to submit all remaining initial notifications no later than six months from the date of accession. The Russian Federation undertook the specific obligation to notify a set of initial notifications, as identified in Table 38 of its Working Party Report⁵⁷, 90 days from the date of accession. (see Table 1 of Annex 4)

- c. In addition to commitments undertaken in the dedicated transparency chapter, specific commitments have also been undertaken in other chapters of the Reports, which reaffirm existing notification obligations under a particular WTO Agreement and, in some cases, reinforce them or explicitly link them to GATT Article X provisions.⁵⁸ Seventeen (17) chapters containing such Agreement-specific notification commitments have been identified. (see Table 2 of Annex 4)
- d. In the chapter on State-owned enterprises and privatization - 22 out of 31 Article XII Members have undertaken a commitment to regularly notify their privatization programmes to WTO Members (see Table 3 of Annex 4). These specific commitments are not explicitly linked to a notification requirement under any particular WTO Agreement, but are aimed to enhance transparency systemically.

92. As part of the process of their accession negotiations, acceding governments have also been requested to provide draft notifications, in the established WTO formats, in several areas of WTO rules. Draft notifications have been requested on STEs; industrial subsidies; customs valuation; SPS; TBT; export subsidies; and agricultural policies. In the majority of cases, Article XII Members were asked to commit to submit the prepared draft

notifications, immediately upon accession, to the relevant WTO bodies.⁵⁹

93. Only half of the pre-2008 Accession Working Party Reports contain specific transparency commitments related to the publication of information on trade. This has changed significantly. Since 2008, all Article XII Members have undertaken a specific commitment reiterating the existing publication requirement under the WTO Agreement. As a result of this recent trend, approximately two-thirds of Article XII Members have undertaken a specific accession commitment on publication of information on trade (Table 1 of Annex 4).

94. It should be noted that the detail and scope of specific Accession Protocol commitments may vary from one Article XII Member to another. China, for example, undertook a specific commitment in its Protocol of Accession (i.e. Article 18.1 and Annex 1A) to provide, during a specific period, information on a range of areas to relevant WTO bodies on an annual basis.⁶⁰ The notified information would need to be provided in addition to the general WTO notification requirements applicable to all WTO Members pursuant to the WTO Agreement.

3.2 Article XII accession process as preparatory for WTO Membership

95. The review of notifications is an essential part of WTO activity and the responsibility of each WTO Member. The accession process provides an invaluable training ground for preparing future

⁵⁷ Table 38 of the Accession Working Party Report of the Russian Federation covers the following areas: customs valuation; subsidies and countervailing measures; trade-related investment measures (TRIMs); import licensing; rules of origin.

⁵⁸ Source: Accession Commitments Database (ACDB).

⁵⁹ Examples: Mongolia, paragraph 3 (draft SPS; TBT; and customs valuation notification); China (Annex 5A); Moldova, paragraph 236 (schedule of notifications); Lao PDR, paragraph 108 (draft notification on export subsidies); Ukraine (draft notification on State-trading Enterprises); Panama, paragraph 113 (draft subsidies notification); Mongolia, paragraph 60 (draft subsidies notification); Latvia, paragraph 75 (draft subsidies notification); Chinese Taipei, paragraph 99 (draft subsidies notification); Ukraine, paragraphs 261 and 264 (draft subsidies notification); Montenegro, paragraph 136 (draft subsidies notification); Tajikistan, paragraph 182 (draft subsidies notification).

⁶⁰ Council/Committees on Trade in Goods; TRIPS; Trade in Services; BOP Restrictions; Market Access (including ITA); Agriculture; SPS Measures; Customs valuation; Rules of Origin; Import Licensing; TRIMs; Safeguards; and Trade in Financial Services.

WTO Members for effective participation in the system.

96. To ensure compliance with WTO notification requirements and to benefit from WTO notifications made by other Members, governments need to allocate the appropriate resources and human capacity early on. In particular, they need to develop an effective domestic mechanism for processing relevant notification information. An internal coordination mechanism is indispensable for ensuring that relevant information is disseminated to line ministries and agencies - to eventually make this information easily accessible to stakeholders.

97. Under various provisions of the WTO Agreement, each WTO Member has legal obligations relating to transparency. Over time, guidelines and manuals have been developed by Members and the WTO Secretariat in various WTO fora. One of the objectives of these guidelines and manuals is to support and supplement the existing transparency obligations under the WTO Agreement, and ensure their effective implementation. These guidelines call on Members to adhere to certain best practices when new or amended legislation or measures are envisaged. The following is an illustrative list:

- notify other WTO Members of the planned measure/legislation, in a timely manner;
- share copies of the draft legislation/measure with other WTO Members on request;
- grant reasonable time for WTO Members to review the planned measure/legislation and submit comments in writing;
- discuss these comments on request;
- take account of other WTO Members' comments and the results of any discussions;
- explain to other WTO Members how their comments would be taken into account; and
- provide additional information on the planned measure/legislation, if available and appropriate.

98. In accession negotiations, acceding governments are routinely asked to adhere

to the same principles throughout the accession process. The objective is to ensure predictability, provide clarity, make trade-related information easily accessible and keep protectionist influences at bay.

99. During accession negotiations, all Article XII Members are asked to provide baseline data, by completing checklists and questionnaires, in accordance with established WTO notification formats, such as questionnaires on STEs, import licensing, customs valuation, SPS, TBT and IP, as well as agricultural supporting tables (AGSTs). This work prepares acceding governments for the obligations of future WTO Membership. Upon membership, new notifications would need to be prepared and submitted, as appropriate. Drawing on the experience gained during the accession process, Article XII Members are well-equipped to fulfil these notification requirements.

4 ARTICLE XII MEMBERS' COMPLIANCE WITH WTO NOTIFICATION OBLIGATIONS

100. The preceding section provided an overview of the range of transparency commitments on notification and publication undertaken by Article XII Members as a result of their accession negotiations. Specific commitments are incorporated in the Protocols of Accession and become an integral part of the WTO Agreement.

101. The Accession Protocol commitments in this area have been negotiated with a view to reinforcing existing transparency requirements under the WTO Agreement. To keep track with the continuously evolving trading environment, some of these commitments have further enhanced the established WTO transparency obligations.

102. Particular emphasis has been placed on ensuring effective implementation in the post-accession stage. The accession process has thus made a significant contribution to the WTO's overall drive to enhance systemic transparency.

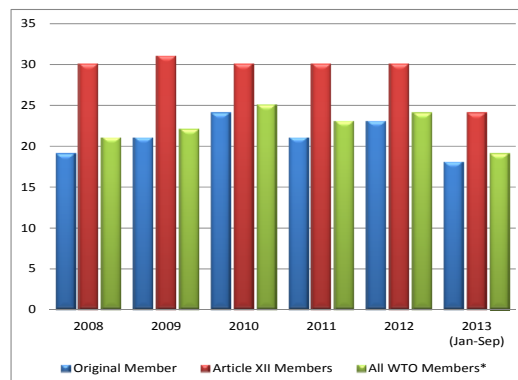
103. WTO Members recognize the central role that transparency plays in a well-

functioning Multilateral Trading System. This has come into particular focus since the 2008 global economic and financial crises brought about a rise in protectionist pressures. Efforts have therefore been made towards improving the timeliness, quality and monitoring of regular, periodic and one-time only notifications⁶¹.

104. Since 1995, approximately 43,134 notifications have been entered in the Central Registry of Notifications. Almost 16% of these notifications have been made by the 31 Article XII Members. This number is particularly significant considering that many Article XII Members have completed their accessions only relatively recently and, unlike original Members, have not been subject to notification requirements since 1995. This broad indicator suggests that Article XII Members have on average been more active in fulfilling their notification requirements. This general observation is substantiated by a comparison between the average number of notifications made by (i) original Members; (ii) Article XII Members; and (iii) all WTO Members.

105. Table 4 reveals that between 2008 and 2013, Article XII Members had a consistently higher notification rate. On average, an Article XII Member submitted between 5 to 11 more notifications annually compared to an original Member. This trend can be attributed to the fact that (i) the WTO accession process requires Article XII Members to put in place appropriate mechanisms for submitting notifications upon accession; and that (ii) the specific transparency commitments, negotiated during the Article XII accession process, have reconfirmed and strengthened existing notification requirements under the WTO Agreement.

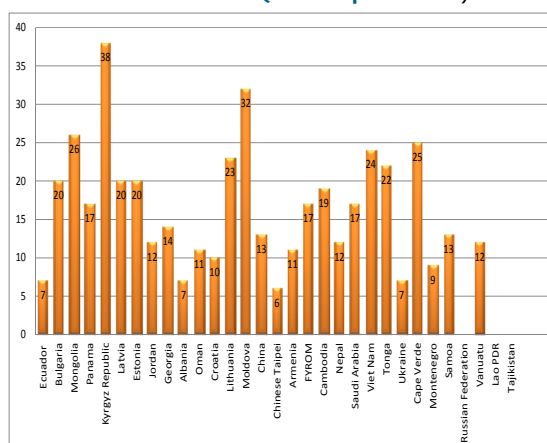
Table 4 - Average notifications made annually, period 2008-2013



* This includes Original Members and Article XII Members.
(Source: WTO Notifications database)

106. Notwithstanding the overall positive compliance rates by Article XII Members, a review of outstanding notification obligations by Article XII Members indicates that compliance with transparency, and specifically notification obligations, can be further improved.⁶² Table 5 indicates that although Article XII Members have on average relatively few outstanding notifications, significant variations in compliance rates remain. Overall, compliance has improved in recent years; and in particular for Members acceding since 2008, which coincides with the renewed emphasis on systemic transparency.

Table 5 - Outstanding notifications by Article XII Members (as of April 2013)



(Source: CRN)⁶³

⁶¹ **Note:** There are various types of notifications, i.e. initial, regular, periodic, one-time only, as well as reverse and *ad hoc* notifications. Reverse notifications are not common, but can be made by Members, if they consider that another Member should have notified a certain action/measure. *Ad hoc* notifications provide scope for WTO Members to notify measures/actions (of an unforeseen nature), if taken.

⁶² Source: CRN - Outstanding notifications in the CRN.

⁶³ **Note:** Complete data set not yet available via the CRN for Lao PDR, the Russian Federation and Tajikistan.

5 CONCLUSIONS

107. The main objective of notifications in a rules-based Multilateral Trading System, with enforceable obligations, is to enhance transparency and ensure stability, security and predictability. The "prior publication and notification" principle, guarantees that WTO Members have sufficient time to familiarize themselves with new or modified measures and legislation, prior to enforcement.

108. Like the WTO accession process itself, notification procedures and practices have evolved over time and have been refined and improved since they were first established in 1995. The WTO accession process has kept up to date with these developments through the elaboration of specific commitments on transparency which, upon accession, become an integral part of the WTO Agreement.

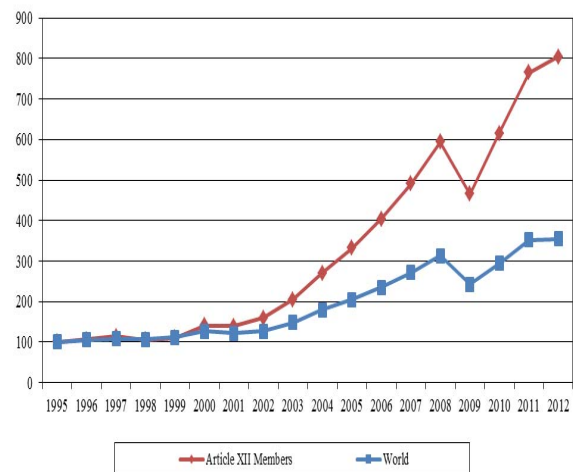
109. The specific transparency commitments negotiated as part of the WTO accession process can be linked to the positive compliance behaviour of Article XII Members with publication and notification requirements under the WTO Agreement. This is testament to the importance that WTO Members attach to strengthening existing transparency obligations and improving their implementation in order to safeguard the effective functioning of the Multilateral Trading System.

VI. TRADE AND ECONOMIC PERFORMANCE OF ARTICLE XII MEMBERS

110. Overall, Article XII Members have recorded rapid economic and trade growth. Figure 2 and Figure 3 show that, in the period 1995 to 2012, trade in goods and services of Article XII Members registered average annual growth rates of 14.1% and 11.9%, respectively. This was faster than the growth of global trade in goods and services, which expanded at rates of 8.3% and 8%. In the period between 1995 and 2012, the value of merchandise trade of Article XII Members rose by approximately 700%, in contrast to world trade that increased by approximately 250%. Even if China, a major trader, is excluded from the calculations, the trend

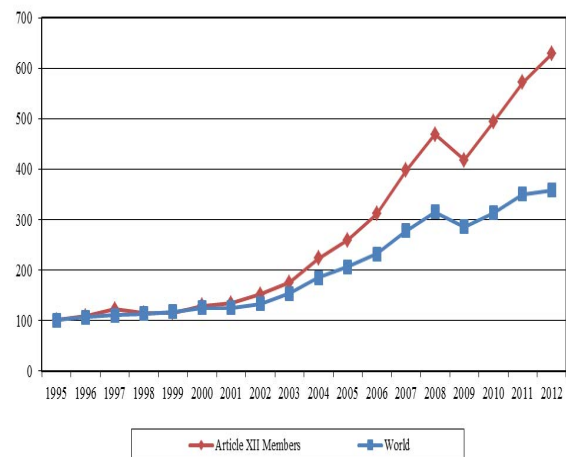
remains, with relatively small differences. In other words, the trade growth of Article XII Members is faster than that of the rest of the world.

Figure 2 - Value of total merchandise trade of Article XII Members: 1995-2012
(Index, 1995=100)



Source: WTO Statistics Database

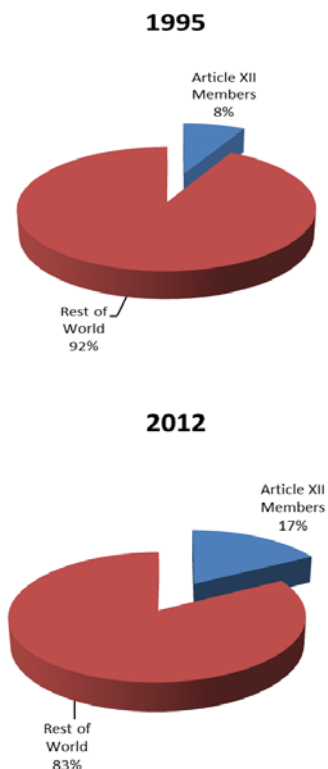
Figure 3 - Value of total trade in commercial services of Article XII Members: 1995-2012
(Index, 1995=100)



Source: WTO Statistics Database

111. Article XII Members have also registered strong trade performance in terms of their expanded share of world merchandise trade. As shown in Figure 4, from 1995 to 2012, the share of world merchandise trade of Article XII Members increased significantly from 8% to 17%.

Figure 4 - Share of world merchandise trade of Article XII Members



Source: WTO Statistics Database

VII. CONCLUSIONS - OUTLOOK 2014

112. In my first few weeks as Director-General, I have dedicated time to review the work of the WTO on accessions with the Director of the Accessions Division. I have asked Deputy Director-General David Shark to assist me in this regard, drawing on his considerable experience, *inter alia*, in this area of work of the WTO.

113. I opened the first Global Seminar on Accessions on 23 September. This Seminar covered all aspects of WTO accessions. The Global Seminar was followed, from 15 to 17 October, in Luang Prabang, Lao PDR, by the Second China Round Table on WTO Accessions. This MoU-based activity, focused on the theme of, "The Future of the Multilateral Trading System: Perspectives of Article XII Members and Least-Developed Countries". I believe that Members would have noted the accession-specific aspects of the "Report on the Second China Round Table" from Mr. Nam Viyaketh, Minister of

Industry and Commerce of Lao PDR. At the request of the Delegation of Lao PDR, the Report has been circulated as a document of the General Council and the Ministerial Conference (in document: WT/ACC/20; WT/GC/153; WT/MIN(13)/2).

114. There is a uniqueness to the work of the WTO on accessions. Although it is regular work of the Organization, at the same time, it is also related to the negotiating function of the Organization. As provided in Article XII of the Marrakesh Agreement Establishing the WTO, Membership of the WTO is pursuant to terms "... to be agreed ..." (negotiated) with Members. There is also an angle from WTO dispute settlement. In approximately 27 disputes⁶⁴, of which almost 20 have proceeded to panel stage, Accession Protocols and Working Party Reports have been cited.

115. This year's Annual Report indicates evident progress but also the complexity of work on accessions. The complexity is as much technical as it also reflects significant changes in trade policy, political and economic transformations, including in regional integration processes, and domestic reform challenges within Acceding Governments.

116. There are several positive aspects in this year's Annual Report on the substance of Working Parties. First, after a 13 year process, the Working Party on the Accession of Yemen, completed its work. The Draft Accession Package of Yemen was adopted *ad referendum* on 26 September. The 9th WTO Ministerial Conference will formally adopt the terms and conditions of the WTO Membership of Yemen. As Director-General, I congratulate Members for helping Yemen to cross the finishing line. Second, significant technical work was advanced on the accession negotiations of Afghanistan, Azerbaijan, The Bahamas, Bosnia and

⁶⁴ WT/DS433; WT/DS432; WT/DS431; WT/DS429; WT/DS419; WT/DS405; WT/DS404; WT/DS399; WT/DS398; WT/DS397; WT/DS395; WT/DS394; WT/DS390; WT/DS388; WT/DS387; WT/DS379; WT/DS378; WT/DS373; WT/DS363; WT/DS359; WT/DS358; WT/DS342; WT/DS340; WT/DS339

Herzegovina, Kazakhstan and Seychelles. The conclusion of any accession will be substance-driven, bearing in mind that, there is always uncertainty due to a range of factors and variables beyond the control of the WTO.

117. Specifically, on the Accession of Kazakhstan, I have reviewed the technical state-of-play on this accession. The status of the Accession of Kazakhstan is advanced. Progress made this year has brought it to the last stage of its negotiations. There is uniqueness, technical complexity across several areas of its foreign trade regime. The challenge and complexity have been magnified by the Customs Union (CU) between Belarus, Kazakhstan and the Russian Federation. Solutions will be explored in 2014. WTO Members have always demonstrated pragmatism. I am reasonably confident that pragmatism will prevail. This is an accession of importance to the WTO. I am paying close attention to it also because of its systemic ramifications.

118. Looking to the year ahead, there are 23 Working Parties to manage, of which 13 are active. These will require the time, resources and attention of Members. I encourage and appeal to Members to stay engaged and committed, working with those Acceding Governments that are similarly engaged with the adjustment of their trade regime for WTO conformity and with timely submission of meaningful inputs.

119. Every year, a thematic focus is identified and reviewed with major findings discussed to show the impact of results from WTO Accessions for the functioning of the rules-based trading system.⁶⁵ This is a valuable practice that will be maintained. This year, the thematic focus was on transparency obligations of Article XII Members, and how they have performed in the implementation of notification requirements when compared to all WTO Members. I am pleased to report, as you have noted in Section V of this year's Annual Report that Article XII Members have

contributed to strengthening the WTO in this critical area that is indispensable for predictability, confidence in the system, the monitoring functions of the WTO and countervailing protectionism.

120. Much of what has been achieved in WTO accessions is also due to technical assistance and outreach. Several Members have been generous with assistance and contributions. On behalf of the WTO, I commend them for their support. In the WTO TA Biennial Plan, accessions have been established as a priority for moving ahead with Results Based Management (RBM). The Secretariat will sustain and improve outreach with individual Acceding Governments and WTO groups to explain, improve understanding and work with all parties to deliver faster, to the extent possible.

121. Working Party Chairpersons are indispensable for progress on accessions. They have made a difference. They are involved, technically engaged, and as observed, the Facilitation Mechanism for Yemen, contributed to a satisfactory solution that provided a *win-win* for all parties.

122. I encourage Acceding Governments to persevere with their negotiations. WTO Membership carries significant benefits. The WTO accession process is a uniquely powerful instrument for domestic reforms and international cooperation. It has raised the profile of trade in overall development policies and is a long-term commitment for trade integration.

123. Finally, WTO accession is a critical intersection point. It links all aspects of the work of the WTO: regular, negotiations and dispute settlement. There are useful lessons to learn for all areas of work of the Organization. WTO accession *acquis* are of strategic importance in safeguarding and strengthening the WTO, as a rules-based Multilateral Trading System, structured on a balance of rights and obligations. As Director-General, I look forward to sustaining contact and working with Members and Acceding Governments to build on the considerable achievements so far.

⁶⁵ 2010: "Trade Performance of Article XII Members"; 2011: "Best Practices in Accession Negotiations"; 2012: "Accessions and Domestic Reforms".

ANNEX 1 - ACCESSIONS DIVISION WORK INDICATORS

Years	Formal WP Meetings	Inf. WP Meetings/ Consultations	Technical Verification Meetings (Schedules)	Plurilateral Meetings	Bilateral Meetings	Divisional Meetings	IGA	Documentation Pages Processed	Archiving Folders Processed	Technical Assistance & Outreach	Article XII Accessions ¹	Newsletters	Annual Reports	Databases ²	Regional Group Annual Outreach
2013	11	1	1	11	12	29	9	8,334 ³	0	28	(1 ⁴)	10	1	3	6
2012	22	3	2	20	10	29	10	19,865	0	38	2	11	1	3	6
2011	15	27	3	20	9	33	10	17,269	1	12	4	9	1	1	6
2010	10	11	0	3	25	41	14	4,829	39	15	0	4	1	1	4
2009	10	11	n/a*	7	8	46	7	3,881	560	24	0	n/a*	n/a*	n/a*	9
2008	18	14	n/a*	4	11	n/a*	4	8,172	n/a*	13	1	n/a*	n/a*	n/a*	n/a*
2007	14	21	n/a*	7	11	n/a*	5	7,035	n/a*	14	1	n/a*	n/a*	n/a*	n/a*
2006	16	25	n/a*	7	10	n/a*	6	7,646	n/a*	12	1	n/a*	n/a*	n/a*	n/a*
2005	23	34	n/a*	21	19	n/a*	4	10,383	n/a*	15	2	n/a*	n/a*	n/a*	n/a*
2004	26	19	n/a*	18	25	n/a*	6	7,907	n/a*	12	0	n/a*	n/a*	n/a*	n/a*
2003	18	n/a*	n/a*	9	22	n/a*	3	8,629	n/a*	8	2	n/a*	n/a*	n/a*	n/a*
2002	16	n/a*	n/a*	6	19	n/a*	2	10,284	n/a*	22	2	n/a*	n/a*	n/a*	n/a*
2001	14	n/a*	n/a*	10	9	n/a*	0	5,482	n/a*	20	3	n/a*	n/a*	n/a*	n/a*
2000	20	n/a*	n/a*	8	12	n/a*	1	8,626	n/a*	8	4	n/a*	n/a*	n/a*	n/a*
1999	17	n/a*	n/a*	n/a*	n/a*	n/a*	0	16,916	n/a*	5	3	n/a*	n/a*	n/a*	n/a*
1998	21	n/a*	n/a*	n/a*	n/a*	n/a*	0	6,913	n/a*	7	2	n/a*	n/a*	n/a*	n/a*
1997	30	n/a*	n/a*	n/a*	n/a*	n/a*	0	7,019	n/a*	17	0	n/a*	n/a*	n/a*	n/a*
1996	26	n/a*	n/a*	n/a*	n/a*	n/a*	0	7,520	n/a*	9	3 (+5 ⁵)	n/a*	n/a*	n/a*	n/a*
1995	17	n/a*	n/a*	n/a*	n/a*	n/a*	0	3,869	n/a*	n/a*	1	n/a*	n/a*	n/a*	n/a*

(Source: Accessions Division internal data)

*n/a: data not available.

¹ By date of formal adoption by the General Council / Ministerial Conference; 2012: Lao PDR (26 October) and Tajikistan (10 December); 2011: Montenegro (17 December), Russian Federation (16 December), Samoa (17 December), and Vanuatu (26 October); 2008: Ukraine (5 February); 2007: Cape Verde (18 December); 2006: Viet Nam (7 November); 2005: Saudi Arabia (11 November) and Tonga (15 December); 2003: Cambodia and Nepal (11 September); 2002: Armenia (10 December 2002) and Former Yugoslav Republic of Macedonia (15 October); 2001: China (10 November), Moldova (8 May) and Chinese Taipei (11 November); 2000: Albania and Croatia (17 July), Lithuania (8 December) and Oman (10 October); 1999: Estonia (21 May), Georgia (6 October) and Jordan (17 December); 1998: Latvia and Kyrgyz Republic (14 October); 1996: Bulgaria (2 October), Mongolia (18 July) and Panama (2 October); and 1995: Ecuador (16 August).

² Databases: (i) ACDB; (ii) Register of Bilateral Market Access Agreements; and, (iii) AIMS-Database (work in progress).

³ This figure takes account of: (i) the documentation processed between January and October 2013; and (ii) the projection for accession-related documentation yet to be processed between November and December 2013, following the circulation of this Report.

⁴ The Draft Package of the Accession of Yemen was adopted on 26 September 2013, *ad referendum*, and will be considered for formal adoption at the Ninth Ministerial Conference in Bali.

⁵ Granada; Papua New Guinea; Qatar; St. Kitts and Nevis; and, the United Arab Emirates acceded to the WTO after 1 January 1995, under the special procedures established by the General Council - WT/L/30. This procedure afforded these 5 acceding governments additional time to complete the negotiations of their Schedules.

ANNEX 2 - ACCESSIONS NEGOTIATED PURSUANT TO ARTICLE XII

Government*	Membership Date	Working Party Report	Goods Schedule	Services Schedule	Protocol of Accession	General Council Decision
1. Ecuador	21/01/1996	WT/L/77 & Corr.1	Add.1 & Corr.1, 2	Add.2	WT/ACC/ECU/6	WT/ACC/ECU/5
2. Bulgaria	01/12/1996	WT/ACC/BGR/5 & Corr.1	Add.1	Add.2	WT/ACC/BGR/7	WT/ACC/BGR/6
3. Mongolia	29/01/1997	WT/ACC/MNG/9 & Corr.1	Add.1 & Corr.1	Add.2	WT/ACC/MNG/11	WT/ACC/MNG/10
4. Panama	06/09/1997	WT/ACC/PAN/19 & Corr.1	Add.1	Add.2	WT/ACC/PAN/21	WT/ACC/PAN/20
5. Kyrgyz Republic	20/12/1998	WT/ACC/KGZ/26 & Corr.1	Add.1	Add.2	WT/ACC/KGZ/29	WT/ACC/KGZ/28
6. Latvia	10/02/1999	WT/ACC/LVA/32	Add.1 & Corr.1	Add.2	WT/ACC/LVA/35	WT/ACC/LVA/34
7. Estonia	13/11/1999	WT/ACC/EST/28	Add.1	Add.2 & Corr.1	WT/ACC/EST/30	WT/ACC/EST/29
8. Jordan	11/04/2000	WT/ACC/JOR/33 & Corr.1	Add.1	Add.2	WT/ACC/JOR/35	WT/ACC/JOR/34
9. Georgia	14/06/2000	WT/ACC/GEO/31	Add.1	Add.2	WT/ACC/GEO/33	WT/ACC/GEO/32
10. Albania	08/09/2000	WT/ACC/ALB/51 & Corr.1	Add.1	Add.2 & Corr.1, 2	WT/ACC/ALB/53 & Corr.1	WT/ACC/ALB/52 & Corr.1
11. Oman	09 /11/2000	WT/ACC/OMN/26	Add.1	Add.2	WT/ACC/OMN/28	WT/ACC/OMN/27
12. Croatia	30/11/2000	WT/ACC/HRV/59	Add.1	Add.2 & Corr.1, 2	WT/ACC/HRV/61	WT/ACC/HRV/60
13. Lithuania	31/05/2001	WT/ACC/LTU/52	Add.1 & Corr.1	Add.2	WT/ACC/LTU/54	WT/ACC/LTU/53
14. Moldova	26/07/2001	WT/ACC/MOL/37 & Corr.1-4	Add.1	Add.2	WT/ACC/MOL/40	WT/ACC/MOL/39
15. China	11/12/2001	WT/ACC/CHN/49 & Corr.1	Add.1	Add.2	WT/L/432	WT/L/432
		WT/MIN(01)/3	Add.1	Add.2		
16. Chinese Taipei	01/01/2002	WT/ACC/TPKM/18	Add.1	Add.2	WT/L/433	WT/L/433
		WT/MIN(01)/4	Add.1	Add.2		
17. Armenia	05/02/2003	WT/ACC/ARM/23 & Corr.1	Add.1	Add.2	WT/L/506	WT/L/506
18. FYROM	04/04/2003	WT/ACC/807/27	Add.1	Add.2	WT/L/494	WT/L/494
19. Nepal	23/04/2004	WT/ACC/NPL/16	Add.1	Add.2	WT/MIN(03)/19	WT/MIN(03)/19
20. Cambodia	13/10/2004	WT/ACC/KHM/21	Add.1	Add.2	WT/MIN(03)/18	WT/MIN(03)/18
21. Saudi Arabia	11/12/2005	WT/ACC/SAU/61	Add.1	Add.2	WT/L/627	WT/L/627
22. Viet Nam	11/01/2007	WT/ACC/VNM/48	Add.1	Add.2	WT/L/662	WT/L/662
23. Tonga	27/07/2007	WT/ACC/TON/17	Add.1	Add.2	WT/L/644	WT/L/644
		WT/MIN(05)/4				
24. Ukraine	16/05/2008	WT/ACC/UKR/152	Add.1	Add.2	WT/L/718	WT/L/718
25. Cape Verde	23/07/2008	WT/ACC/CPV/30	Add.1	Add.2	WT/L/715	WT/L/715
26. Montenegro	29/04/2012	WT/ACC/CGR/38	Add.1	Add.2	WT/L/841	WT/MIN(11)/28
		WT/MIN(11)/7				WT/L/841
27. Samoa	10/05/2012	WT/ACC/SAM/30	Add.1	Add.2	WT/L/840	WT/MIN(11)/27
		WT/MIN(11)/1				WT/L/840
28. Russian Federation	22/08/2012	WT/ACC/RUS/70	Add.1	Add.2	WT/L/839	WT/MIN(11)/24
		WT/MIN(11)/2				WT/L/839
29. Vanuatu	24/08/2012	WT/ACC/VUT/17	Add.1	Add.2	WT/L/862	WT/L/823
30. Lao PDR	02/02/2013	WT/ACC/LAO/45	Add.1	Add.2	WT/L/865	WT/L/865
31. Tajikistan	02/03/2013	WT/ACC/TJK/30	Add.1	Add.2	WT/L/872	WT/L/872

* Sorted by date of Membership

ANNEX 3 - WTO ACCESSIONS WORKING PARTY (WP) CHAIRPERSONS

No.	Government	Date WP established	WP Chairperson*	Geneva-based (Y/N)
1.	Afghanistan	13 December 2004	H.E. Mr. Roderick <u>van Schreven</u> (Netherlands)	Y
2.	Algeria	17 June 1987	H.E. Mr. Pedro <u>D'Alotto</u> (Argentina)	Y
3.	Andorra	22 October 1997	Vacant	
4.	Azerbaijan	16 July 1997	H.E. Mr. Walter <u>Lewalter</u> (Germany)	N
5.	The Bahamas	18 July 2001	H.E. Mr. Wayne <u>McCook</u> (Jamaica)	Y
6.	Belarus	27 October 1993	H.E. Mr. Selim <u>Kuneralp</u> (Turkey)	Y
7.	Bhutan	6 October 1999	H.E. Dr. Wolfgang <u>Petritsch</u> (Austria)	N
8.	Bosnia and Herzegovina	15 July 1999	H.E. Dr. István <u>Major</u> (Hungary)	N
9.	Comoros, Union of the	9 October 2007	H.E. Mr. Luis Enrique <u>Chávez Basagoitia</u> (Peru)	Y
10.	Equatorial Guinea	5 February 2008	Vacant	
11.	Ethiopia	10 February 2002	H.E. Dr. Steffen <u>Smidt</u> (Denmark)	Y
12.	Iran	26 May 2005	Vacant	
13.	Iraq	13 December 2004	H.E. Mr. Omar <u>Hilale</u> (Morocco)	Y
14.	Kazakhstan	6 February 1996	H.E. Mr. Vesa <u>Himanen</u> (Finland)	N
15.	Lebanese Republic	14 April 1999	H.E. Mrs Laurence <u>Dubois-Destrizais</u> (France)	N
16.	Liberia	18 December 2007	H.E. Mr. Joakim <u>Reiter</u> (Sweden)	Y
17.	Libya	27 July 2004	Mr. Victor <u>Echevarría Ugarte</u> (Spain)	Y
18.	Sao Tomé and Príncipe	26 May 2005	Vacant	
19.	Serbia	15 February 2005	H.E. Mrs. Marie-Claire <u>Swärd Capra</u> (Sweden)	N
20.	Seychelles	11 July 1995	Ms. Hilda Ali <u>Al-Hinai</u> (Oman)	Y
21.	Sudan	25 October 1994	Vacant	
22.	Syrian Arab Republic	4 May 2010	Vacant	
23.	Uzbekistan	21 December 1994	H.E. Mr. Seokyoung <u>Choi</u> (Korea)	Y
24.	Yemen	17 July 2000	H.E. Mr. Hartmut <u>Röben</u> (Germany)	N

* As of 9 October 2013

ANNEX 4 - SECTION V-DATA ON TRANSPARENCY

TABLES 1 TO 3 OF THE THEMATIC SECTION -

SECTION V: WTO ACCESSIONS - TRANSPARENCY COMMITMENTS AND COMPLIANCE WITH NOTIFICATION OBLIGATIONS BY ARTICLE XII MEMBERS

Table 1 - SPECIFIC COMMITMENTS UNDERTAKEN BY ARTICLE XII MEMBERS UNDER THE TRANSPARENCY CHAPTER OF WORKING PARTY REPORTS

		Ecuador	Bulgaria	Mongolia	Panama	Kyrgyz Republic	Latvia	Estonia	Jordan	Georgia	Albania	Oman	Croatia	Lithuania	Moldova	China	Chinese Taipei	Armenia	FYROM	Nepal	Cambodia	Saudi Arabia	Viet Nam	Tonga	Ukraine	Cape Verde	Montenegro	Samoa	Russian Federation	Vanuatu	Lao PDR	Tajikistan
Publication of information on trade																																
Notifications																																

Note: Article XII Members are sorted by date of Membership.

Source: ACDB

Table 2 - SPECIFIC ACCESSION COMMITMENTS BY ARTICLE XII MEMBERS REAFFIRMING WTO NOTIFICATION OBLIGATIONS

	Ecuador	Bulgaria	Mongolia	Panama	Kyrgyz Republic	Latvia	Estonia	Jordan	Georgia	Albania	Oman	Croatia	Lithuania	Moldova	China *	Chinese Taipei	Armenia	FYROM	Nepal	Cambodia	Saudi Arabia	Viet Nam	Tonga	Ukraine	Cape Verde	Montenegro	Samoa	Russian Federation	Vanuatu	Lao PDR	Tajikistan
State-owned; State-trading enterprises	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Ordinary customs duties																										1					
Tariff rate quotas, tariff exemptions																								1							
Application of internal taxes on imports																	1**							1							
Quantitative import restrictions, including prohibitions, quotas and licensing systems																	1	2						XXX				4			XXX
Rules of Origin																											X		1	X	
Pre-shipment (PSI)***								1	1					1			1			1	1	1		1	1	1	1	1		1	1
Anti-dumping, countervailing duties and safeguard regimes																			1					1	1			1		1	1
Customs tariffs, fees and charges for services rendered, application of internal taxes to exports and minimum export prices																															1
Export subsidies				1																					1						
Industrial policy, including subsidies			1	1											1	1						1		1	1	1		1		1	2
Technical Barriers to Trade									1						5						1	XX	1	1	1		1	1	1		
Sanitary and Phytosanitary Measures				1	1											1		1			2		1					1			
Trade-related investment measures (TRIMs)	1																		1									1			
Free zones, special economic areas															1																
Agricultural Policies		1													1																
Trade Agreements	1	1	1		1	1	1	1	1	1	1	1	1	1	1		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Commitment makes reference/reaffirms a specific notification obligation under the WTO Agreement	1
Commitments with reference to transparency provision (publication/notification) of WTO Agreement but not specifically underpinning/reaffirming notification obligation contained in the provision:	
Commitment makes reference to compliance with relevant Article of the WTO Agreement, which contains a notification obligation, but the commitment does not specifically reaffirm notification obligation under the said Article.	1
X - commitment to abide by relevant WTO provisions on transparency and the provision of information about its rules of origin and their application.	X
XX - reference made to transparency provisions under the TBT Agreement - i.e. Articles 2.1, 2.2, 5.1, 5.2, .4 and Annex 1.1 of the TBT Agreement.	XX
XXX - reference made to adherence to publication and provision of information, in conformity with WTO Agreement on Import Licensing Procedures.	XXX
* This table reflects China's commitments, as contained in the Accession Working Party Report. It is important to note that China also undertook specific notification commitments in a range of areas in its Protocol of Accession, see Articles 6.2, 7.2, 8.1, 9.2, 16.7, 16.8, 18.1, Annexes 5A and 1A.	
** Notification obligation only during phase out period, i.e. until 31 December 2008.	
***Specific Transparency commitment/Article X under the Section on Pre-shipment (PSI)	

Source: ACDB

Table 3 - SPECIFIC COMMITMENTS ON NOTIFYING ONGOING PRIVATIZATION PROCESSES UNDERTAKEN BY ARTICLE XII MEMBERS

	Ecuador	Bulgaria	Mongolia	Panama	Kyrgyz Republic	Latvia	Estonia	Jordan	Georgia	Albania	Oman	Croatia	Lithuania	Moldova	China	Chinese Taipei	Armenia	FYROM	Nepal	Cambodia	Saudi Arabia	Viet Nam	Tonga	Ukraine	Cape Verde	Montenegro	Samoa	Russian Federation	Vanuatu	Lao PDR	Tajikistan
Specific transparency commitment to report on ongoing privatization process/programme																															

Note: Article XII Members are sorted by date of Membership.

Source: ACDB

ANNEX 5 - SECTION VI-DATA ON ECONOMIC PERFORMANCE

Table 6 - Value of Merchandise Trade and Year-on-Year Percentage Change: 1995-2012

(Billion dollars and percentage)

		1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Article XII Members	Value	840	894	961	884	924	1,185	1,171	1,334	1,714	2,264	2,787	3,390	4,117	4,988	3,906	5,162	6,426	6,746
	Year-on-year percentage change		6.4%	7.5%	-8.0%	4.5%	28.2%	-1.2%	13.9%	28.5%	32.1%	23.1%	21.6%	21.4%	21.2%	-21.7%	32.2%	24.5%	5.0%
World	Value	10,450	10,950	11,333	11,184	11,636	13,184	12,679	13,238	15,458	18,793	21,378	24,593	28,352	32,731	25,332	30,786	36,818	37,002
	Year-on-year percentage change		4.8%	3.5%	-1.3%	4.0%	13.3%	-3.8%	4.4%	16.8%	21.6%	13.8%	15.0%	15.3%	15.4%	-22.6%	21.5%	19.6%	0.5%

Source: WTO Statistics Database

Table 7 - Value of Trade in Commercial Services and Year-on-Year Percentage Change: 1995-2012

(Billion dollars and percentage)

		1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Article XII Members	Value	153	166	186	174	175	196	205	231	267	340	396	474	606	716	638	753	873	959
	Year-on-year percentage change		9%	12%	-6%	1%	12%	4%	13%	16%	27%	16%	20%	28%	18%	-11%	18%	16%	10%
World	Value	2,373	2,523	2,610	2,676	2,776	2,955	2,974	3,158	3,643	4,394	4,896	5,501	6,594	7,479	6,774	7,433	8,301	8,502
	Year-on-year percentage change		6%	3%	3%	4%	6%	1%	6%	15%	21%	11%	12%	20%	13%	-9%	10%	12%	2%

Source: WTO Statistics Database

ANNEX 6 - ACCESSIONS MANAGEMENT

Table 8 - Accession Working Party Management

Accession Working Party	Secretary	Co-Secretary	Admin. support
Chiedu Osakwe, Director, Accessions Division			
1. Afghanistan*	Kebede (Intern) Varyanik	-	Ferdi Demierre
2. Algeria	Pardo de León	Ferdi Demierre	Ferdi Demierre
3. Andorra	accessions@wto.org - No Activity		
4. Azerbaijan	Pardo de León	Kebede (Intern) Varyanik	Tandara-Stenier
5. Bahamas	Lee	Pardo de León	Tandara-Stenier
6. Belarus	Beslać	Varyanik	Tandara-Stenier
7. Bhutan*	Lee	-	Tandara-Stenier
8. Bosnia and Herzegovina	Beslać	Ayewoh (Intern)	Tandara-Stenier
9. Comoros, Union of the*	Pardo de León	New interns awaited	Tandara-Stenier
10. Equatorial Guinea*	Yu	-	Ferdi Demierre
11. Ethiopia*	Varyanik	New interns awaited	Ferdi Demierre
12. Iran, the Islamic Republic of	Varyanik	New interns awaited	Ferdi Demierre
13. Iraq	Varyanik	Lee	Ferdi Demierre
14. Kazakhstan	Yu	Varyanik Ayewoh (Intern) Chen (Intern)	Ferdi Demierre
15. Lebanese Republic	Pardo de León	New interns awaited	Ferdi Demierre
16. Liberia*	Lee	Kebede (Intern)	Tandara-Stenier
17. Libya	Yu	Beslać	Ferdi Demierre
18. Sao Tome et Principe*	Pardo de León	-	Ferdi Demierre
19. Serbia	Beslać	Chen (Intern)	Tandara-Stenier
20. Seychelles	Beslać	Ayewoh (Intern)	Tandara-Stenier
21. Sudan*	Lee	New interns awaited	Ferdi Demierre
22. Syrian Arab Republic	Yu	Beslać	Ferdi Demierre
23. Uzbekistan	Lee	-	Tandara-Stenier
24. Yemen*	Yu	Ferdi Demierre Al-Akhali (Intern)	Ferdi Demierre

* Least-developed countries (LDCs)



Accessions Division team, Château de Divonne, 29 April 2013

Table 9 - Non-Working Party Workload Distribution

Responsibility	Professional	Administrative Manager/ Support
Director-General's Annual Accession Reports	Director & Professional (rotating)	Ferdi Demierre
Informal Group on Accessions	Pardo de León	Tandara-Stenier
WTO Accessions Newsletter (monthly)	Director & Varyanik	Rotating interns Tandara-Stenier
China Programme / MOU / Round Tables	Director & Yu	Ferdi Demierre
China Programme / MOU / Accessions interns selection	Director & Tandara-Stenier	
TA Focal Point / Annual Outreach	Pardo de León	Ferdi Demierre
LDC Focal Point	Yu & Lee	Rotating interns
Databases:		
– Accessions Commitments Database (ACDB)	Yu (Design and Maintenance)	Rotating interns (Data transfer)
– Market Access Register	Ferdi Demierre (Design and Maintenance)	-
– Accessions Information Management Database (AIMS database) - Work in progress	Beslać (Development - Phases 1 to 3); Intern (IT background)/ To be recruited (Development - Phases 4 to 5)	Tandara-Stenier
– Trade performance of Article XII Members	Yu (Design and Maintenance)	-
Accessions Website Update	Working Party Secretaries	Rotating interns
Accession <i>acquis</i> stock-taking project	Accessions Division	

ACCESSIONS STAFF DISPOSITION:

- Director;
- 5 Professionals;
- 1 Professional position to be filled by internal mobility;
- 2 Administrative Managers;
- 1 Intern secretary, assisting administrative managers;
- 4 rotating China and LDC Accessions interns; and
- 1 regular Accessions Division intern.
 - Total number of 4 interns to compensate for capacity gap.