

USER GUIDE TO WTO ACCESSION JARGON*

Accessions Division Note 14-25/Rev.1

The purpose of this document is to serve as an informal user guide to WTO accession jargon. The order of terms follows largely the sequence of practices, procedural steps and events typical in most WTO accessions.

TERMINOLOGY	EXPLANATIONS
Observer status	<p>In accordance with paragraph 4 of the <i>Guidelines For Observer Status For Governments in the WTO</i>, contained in Annex 2 of document WT/L/161, i.e. the <i>Rules of Procedure for Sessions of the Ministerial Conference and Meetings of the General Council</i>:</p> <p><i>"Governments wishing to request observer status in the General Council shall address to that body a communication expressing the intent to initiate negotiations for accession to the WTO Agreement within a maximum period of five years, and provide a description of their current economic and trade policies, as well as any intended future reforms of these policies"</i>.</p> <p>E.g. Cabo Verde (WT/L/258); Iraq (WT/L/560); Bhutan (WT/L/262); and Ethiopia (WT/L/229).</p>
Application	<p>Article XII of the Marrakesh Agreement Establishing the WTO states that any state or separate customs territory having full autonomy in the conduct of its trade policies is eligible to accede to the WTO on terms agreed between it and WTO Members.</p> <p>The acceding State or separate customs territory ("acceding government") submits a communication to the Director-General of the WTO indicating its desire to accede to the WTO under Article XII of the Marrakesh Agreement Establishing the WTO. The communication is circulated to all Members.</p>
Acceding government	<p>A state or separate customs territory acceding pursuant to Article XII of the Marrakesh Agreement Establishing the WTO.</p>
Accession Working Parties	<p>Accession Working Parties are WTO bodies. Working Party Membership is open to all interested WTO Members. In accession Working Parties, Members and the acceding government negotiate multilaterally the "terms of accession".</p>
Establishment of an accession Working Party; Terms of reference & accession Working Party membership	<p>The General Council/Ministerial Conference considers the application and establishes accession Working Parties. The terms of reference of accession Working Parties are to examine the application for accession to the WTO under Article XII of the Marrakesh Agreement Establishing the WTO and to submit to the General Council/Ministerial Conference recommendations, which may include a draft Protocol of Accession. Working Party membership is open to all interested WTO Members. During the accession process, the WTO Secretariat updates the Membership list to reflect any new Members that have joined the accession Working Party.</p>

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

Chairperson of the Accession Working Party	<p>Chairpersons are designated by the Chairperson of the General Council, <i>ex officio</i>. Consultations on the selection of a Working Party Chairperson normally begin as soon as all documents necessary for holding the first Working Party meeting are in circulation, specifically, the Memorandum on the Foreign Trade Regime ("MFTR"), accompanying legislation, and the replies to Members' questions on the MFTR. The Working Party Chairperson is designated by the Chairperson of the General Council, in consultation with Members and the acceding government. The long-standing practice is for the Secretariat to assist the General Council Chairperson in his/her consultations. The Chairperson is normally an Ambassador/Permanent Representative, or a Deputy Permanent Representative, resident in Geneva. The Chairmanship is confirmed when an announcement is made at the General Council under "Other business". Although acceding governments are consulted during the process, the designation of a Working Party Chairperson is a decision by WTO Members.</p> <p>For "Guidelines for the Appointment of Officers to WTO Bodies" of 31 January 1995, see WT/L/31.</p>
Formats of accession meetings	<p>Accession negotiations are advanced through variable formats and types of meetings and consultations, i.e. bilateral, Plurilateral, informal and formal:</p> <ul style="list-style-type: none"> - <u>Bilateral market access negotiations</u> are conducted between the acceding governments and interested Members. - At <u>Plurilateral meetings</u>, a specific issue is reviewed by a group of interested Members and the acceding government. For example, Plurilateral meetings on agriculture have been convened, as part of most completed and on-going accession processes to date. Plurilateral meetings are not open to other acceding government representatives. These meetings are typically chaired by the Director of the Accessions Division. - <u>Informal meetings</u> provide a platform to exchange views or information, with no official record. This meeting format is not open to other acceding government representatives. These meetings are typically chaired by the Chairperson of the accession Working Party. - <u>Formal meetings</u> of accession Working Parties follow an established agenda: (i) review of the state of play in the bilateral market access negotiations; (ii) review of legislative developments; (iii) examination of the revised draft report of the working party; and (iv) consideration of next steps. Formal meetings are recorded and decisions can be taken. Other acceding governments are allowed to attend this meeting. These meetings are typically chaired by the Chairperson of the accession Working Party.
Memorandum on the Foreign Trade Regime (MFTR)	<p>The MFTR provides a comprehensive summary of the acceding government's foreign trade regime, including relevant statistical data. It should be presented following the outline format of Annex I of WT/ACC/22 (or any future revisions thereof). In some cases, for example, following an extended period of inactivity, Members may request the acceding governments to update their MFTR.</p>

Factual Summary of Points Raised ("Factual Summary")	As the examination of the foreign trade regime advances (and as follow-up to the review of the MFTR and the initial cycles of Questions and Replies), the Working Party mandates the Secretariat to prepare a Factual Summary of Points Raised, an informal document (JOB-series), which distils the written exchanges contained in the "questions and replies" and other relevant supporting documents. The Factual Summary eventually evolves into the Report of the Working Party which spells out the agreed specific commitments that the acceding government would undertake as a WTO Member.
Elements of a Draft Report of the Working Party	In some cases, the Working Party mandates the Secretariat to prepare an Elements of a draft Report of the Working Party. This is a formal document (WT/ACC/SPEC-series), and an intermediate step between the Factual Summary and the draft Report of the Working Party. The Elements of a draft Report does not yet contain any specific commitments.
Draft Report of the Working Party ("DWPR")	The Working Party mandates the Secretariat to prepare a draft Report of the Working Party. The DWPR is a formal document (WT/ACC/SPEC-series), which spells out the agreed specific commitments that the acceding government would undertake as a WTO Member.
Agriculture (WT/ACC/22/Add.1 or any future revisions thereof)	The purpose of this technical note is to allow acceding governments to present factual information on their domestic support and export subsidy measures actually in place in agriculture, as required under Section IV.C (b) and (e) of the Outline Format for a Memorandum on the Foreign Trade Regime (WT/ACC/22 or any future revisions thereof), in a manner consistent with the notification requirements of the Agreement on Agriculture.
<i>De minimis</i>	Minimal amounts of domestic support that are allowed even though they distort trade — up to 5% of the value of production for developed countries, 10% for developing.
Import Licensing Procedures Questionnaire (WT/ACC/22 or any future revisions thereof)	The Questionnaire on Import Licensing Procedures is designed to elicit information on import licensing and similar administrative procedures maintained or applied by the acceding government.
Customs Valuation Checklist (WT/ACC/22 or any future revisions thereof)	The Checklist on implementation and administration of the Customs Valuation Agreement is based on the original prepared for WTO Members, as circulated in VAL/5.
State-Trading Questionnaire (WT/ACC/22 or any future revisions thereof)	The Questionnaire on state-trading is based on format used by Members to notify State-Trading Enterprises (as contained in document G/STR/3/Rev.1). The working definition of state-trading, for the purposes of notification, not altering the substantive disciplines of Article XVII of the GATT 1994, is, as follows: Governmental and non-governmental enterprises, including marketing boards, which have been granted exclusive or special rights or privileges, including statutory or constitutional powers, in the exercise of which they influence through their purchases or sales the level or direction of imports or exports.
SPS Checklist (WT/ACC/22/Add.2 or any future revisions thereof)	Checklist of Illustrative SPS Issues for Consideration in Accessions based on SPS Accession Negotiating Input

	Template.
TBT Checklist (WT/ACC/22/Add.2 or any future revisions thereof)	Checklist of Illustrative TBT Issues for Consideration in Accessions based on TBT Accession Negotiating Input Template.
TRIPS Questionnaire (WT/ACC/22/Add.2 or any future revisions thereof)	Information on the implementation of the WTO Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS).
Draft subsidies notification (WT/ACC/22/Add.2 or any future revisions thereof)	Questionnaire format for Draft notification pursuant to Article 25 of the Agreement on Subsidies and Countervailing Measures and under Article XVI of the GATT 1994. This questionnaire is based on the original prepared for WTO Members, as circulated in G/SCM/6/Rev.1.
Comprehensive Legislative Action Plan (LAP)	Acceding governments need to begin assessing the WTO conformity of domestic trade-related legislation and practices as early as possible. Having identified the gaps in domestic legislation, acceding governments elaborate a comprehensive Legislative Action Plan (LAP). This document contains a full inventory of enacted WTO-related legislation and provides the roadmap for WTO-related domestic legislative work. The review of legislative developments is a standing item on the agenda of each formal meeting of the accession Working Party. Acceding governments are thus asked to update the LAP on a regular basis.
Rule-specific Action Plans	In addition to the comprehensive LAP, acceding governments may also be asked to present a rule-specific action plan (e.g. specifically focusing on IPRs or SPS).
Legislation and implementing regulations	Acceding governments are invited to start submitting copies of relevant legislation at the same time as the MFTR. The review of legislation is a standing item on each Accession Working Party agenda. Laws and regulations are to be provided in one of the three official WTO languages.
Consultation documents	Acceding governments are invited to present copies of relevant consultation documents (such as policy papers; guidelines; etc.). Consultation documents are to be provided in one of the three official WTO languages.
Goods Offer	Negotiations on tariff concessions are conducted bilaterally on the basis of offers and requests. Typically, acceding governments provide initial tariff offers after the first meeting of the Working Party. Thereafter, market access negotiations proceed on a bilateral basis with interested Members. Members submit their requests bilaterally to the acceding governments. As the negotiations advance, acceding governments may be invited to revise their market access offers. The number of rounds of bilateral market access negotiations depends on the quality of the offers and the complexity of the issues involved. The consolidated, verified Goods Schedule of the acceding government becomes its 'final offer' to the WTO, see information below on "Draft Goods Schedule"; "Goods and Services Technical Verification Meetings"; and "Goods Schedule".
Ad valorem (AV)	A tariff rate charged as percentage of the price.
Applied rates	Duties that are actually charged on imports. These can be below the bound rates.

Bound rates (tariff binding)	Commitment not to increase a rate of duty beyond an agreed level. Once a rate of duty is bound, it may not be raised without compensating the affected parties.
Harmonized System	<p>The system of code numbers for identifying products by the World Customs Organization (WCO). The codes are standard up to 6 digits. Beyond that, countries can introduce national distinctions for tariffs and many other purposes.</p> <p>Under the system, the broadest categories of products are identified by 2-digit "chapters" (e.g. 04 is dairy products, eggs and other edible animal products). These are then sub-divided by adding more digits. The higher the number of digits, the more detailed the categories. For example, the 4-digit code or "heading" 0403 is a group of products derived from milk. At 6 digits, 0403.10 is the "sub-heading" yoghurt; at the 8-digit or "tariff line" level, 0403.10.11 could be low-fat yoghurt.</p>
Digits, digit-level	A reference to the codes used to identify products. Categories of products are sub-divided by adding digits.
Tariff line	A product, as defined by a system of code numbers for tariffs.
Initial Negotiating Rights (INRs)	INRs are generally the result of bilateral negotiations between Members. Members holding INRs are entitled to participate in renegotiations with a Member requesting for modification of its tariff concessions (i.e. increasing the bound tariff rates).
Services Offer	Negotiations on services are conducted bilaterally on the basis of offers and requests between the acceding government and interested Members. Initial offers on services follow the same format as all Schedules to the General Agreement on Trade in Services (see Article XX of the GATS, Schedules of Specific Commitments). As the negotiations advance, acceding governments may be invited to revise its market access offers. The number of rounds of bilateral MA negotiations depends on the quality of the offers and the complexity of the issues involved. The basic reference document that WTO Members and acceding governments use to draft their commitments is the "Guidelines for the Scheduling of Specific Commitments under the General Agreement on Trade in Services (GATS) (WT/SL/92). The consolidated verified Services Schedule of the acceding government becomes its 'final offer' to the WTO, see information below on "Draft Services Schedule"; "Goods and Services Technical Verification Meetings"; and "Services Schedule".

4 Modes of supply	<p>The GATS defines 4 ways ("modes") of delivering or trading a service:</p> <ul style="list-style-type: none"> • <u>Mode 1</u> is where services are supplied from one country to another (e.g. international phone calls), officially known as "cross-border supply"; • <u>Mode 2</u> is where consumers make use of a service in another country (e.g. tourism), officially known as "consumption abroad"; • <u>Mode 3</u> is where a company sets itself up abroad (e.g. banks operating in overseas countries), officially known as "commercial presence"; and • <u>Mode 4</u> is where individuals travel abroad to provide services in another country (e.g. fashion models), officially known as "movement of natural persons".
Horizontal commitment	<p>A horizontal commitment applies to trade in services in all scheduled services sectors, unless otherwise specified. It is in effect a binding, either of a measure, which constitutes a limitation on market access or national treatment, or of a situation in which there are no such limitations. Where measures constituting limitations are referred to, the commitment should describe the measure concisely, indicating the elements which make it inconsistent with Articles XVI (market access) or XVII (national treatment) of the GATS. For more information, see S/L/92.</p>
Sector-specific commitment	<p>A sector specific commitment applies to trade in services in a particular sector. If in the context of such a commitment, a measure is maintained which is contrary to Articles XVI or XVII of the GATS, it must be entered as a limitation in the appropriate column (either market access or national treatment) for the relevant sector and modes of supply; the entry should describe the measure concisely, indicating the elements which make it inconsistent with Articles XVI (market access) or XVII (national treatment) of the GATS. For more information, see S/L/92.</p>
Sector or sub-sector column in services offers and schedules	<p>This column contains a clear definition of the sector, subsector or activity that is the subject of the specific commitment. Acceding governments are free, subject to the results of their negotiations with other participants, to identify which sectors, sub-sectors or activities, they will list in their schedules, and it is only to these that the commitments apply. <i>Note:</i> For the Services Sector Classification List, see MTN.GNS/W/120 of 10 July 1991.</p>

Levels of commitment	<ul style="list-style-type: none"> - Full commitment: The acceding government does not seek in any way to limit market access or national treatment in a given sector and mode of supply through measures inconsistent with Articles XVI and XVII. The acceding government should mark in the appropriate column: NONE. However, any relevant limitations listed in the horizontal section of the schedule will still apply. - No commitment: In this case, the acceding government remains free in a given sector and mode of supply to introduce or maintain measures inconsistent with market access or national treatment. The acceding government must record in the appropriate column the word: UNBOUND. This case is only relevant where a commitment has been made in a sector with respect to at least one mode of supply. Where all modes of supply are "unbound", and no additional commitments have been undertaken in the sector, the sector should not appear on the schedule. - Partial commitment with limitations: In some cases, an acceding government may choose to partially bind measures affecting its trade in services. For example, it may bind measures affecting the entry and temporary stay only of some categories of natural persons while leaving all other categories unbound. This may be achieved through an indication in the horizontal section of a schedule such as "Unbound, except for measures affecting the entry and temporary stay of natural persons in the following categories [...]". In such cases, the corresponding sectoral entry under Mode 4 should be "Unbound, except as indicated in the horizontal section". <p>For further elaboration on the levels of commitment in services schedules, and general "Guidelines for the Scheduling of Specific Commitments under the General Agreement on Trade in Services (GATS)", see S/L/92 of 28 March 2001.</p>
Bilateral Market Access Negotiations	<p>In parallel to the examination of the foreign trade regime, interested Accession Working Party members may initiate bilateral market access negotiations on goods and services and on other terms to be agreed. It is understood that fact-finding work on the foreign trade regime and the bilateral negotiating phase can overlap and proceed in parallel.</p>
Register of Bilateral Market Access Agreements	<p>After the bilateral market access negotiations have been concluded between a Member and an acceding government, three copies of the bilateral agreement are signed. One of the three copies of the signed bilateral agreement is deposited with the WTO Secretariat. The status reports generated by the Register of Bilateral Market Access Agreements only contain 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. In accordance with long-standing practice, the substantive content of the bilateral agreements shall remain strictly confidential to the signatory parties.</p>

Draft Goods Schedule	Following the conclusion of all bilateral market access negotiations between interested Members and the acceding government, the WTO Secretariat consolidates the results in the draft Schedule of Concessions and Commitments on Goods ("Draft Goods Schedule"). This Schedule is verified by all Signatory-Members and thereafter reviewed multilaterally and included as an addendum to the draft Accession Protocol. See also "Goods and Services Technical Verification Meetings".
Draft Services Schedule	Following the conclusion of all bilateral market access negotiations between interested Members and the acceding government, the Secretariat consolidates the results in the draft Schedule of Specific Commitments on Services ("Draft Services Schedule"). This Schedule is verified by all Signatory-Members and thereafter reviewed multilaterally and included as an addendum to the draft Accession Protocol. See also "Goods and Services Technical Verification Meetings".
Goods and Services Technical Verification Meetings	Signatory-Members of Bilateral Agreements are invited to such technical verification meetings. These meetings are aimed at finalizing the process of verification of the draft Goods and Services Schedules. The meetings are chaired by the Director of the Accessions Division.
Draft Accession Package	An accession Working Party concludes its mandate by adopting the draft Accession Package, <i>ad referendum</i> , and forwards the Report of the Working Party to the Ministerial Conference/General Council for formal action. The elements of a draft Package are (i) the Report of the Working Party; (ii) a draft Decision and a draft Accession Protocol, appended to the Report; and (iii) the Goods and Services Schedules presented in Addenda 1 and 2. (see also "Final Accession Package")
<i>Ad referendum</i>	Accession Working Parties conclude their mandate by adopting the draft Accession Package, <i>ad referendum</i> , i.e. subject to final decision by the General Council/Ministerial Conference.
Financial obligations of acceding governments	Before an accession package can be adopted by the Ministerial Conference/General Council, the acceding government needs to fully redeem its financial obligations to the WTO. To avoid accumulating financial arrears, acceding governments should make their annual contributions on a regular basis during the accession process.
Procedure for formal action by the Ministerial Conference/General Council	At the invitation of the Chairperson of the Ministerial Conference/General Council, the Membership: <ul style="list-style-type: none"> - the draft Accession Protocol, as contained in the Report of the Working Party; - adopts the draft Decision, as contained in the Report of the Working Party, in accordance with the Decision-Making Procedures under Articles IX and XII of the Marrakesh Agreement Establishing the WTO; - adopts the Report of the Working Party, including the Goods Schedule (Addendum 1) and the Services Schedule (Addendum 2).

Approval of terms of accession	In accordance with WTO practice, the Ministerial Conference/General Council adopts reports of accession Working Parties, including the entire accession packages, by consensus.
"Full Powers"	"Full Powers" would be required for the acceding government representative signing the Protocol of Accession, if the designated signatory is neither the President, nor the Prime Minister, nor the Foreign Minister. The "Full Powers" should authorize the signatory to sign the Protocol on behalf of the acceding government, in accordance with paragraph 7 of the Protocol. The "Full Powers" shall be submitted to the Legal Affairs Division of the WTO Secretariat, copying the Accessions Division, well in advance of the signing ceremony. The "Full Powers" should be in one of the three WTO working languages (English, French and Spanish). If the "Full Powers" is produced in a non-WTO working language, it shall be accompanied by a courtesy translation in one of the three WTO working languages to accelerate the review of the "Full Powers" by the WTO depositary.
Final Accession Package	The final accession package consists of (i) a Ministerial Conference/General Council Decision; (ii) the Accession Protocol; (iii) the Report of the Working Party; and (iv) the Goods and Services Schedules.
De-restriction of accession documents	The de-restriction of documents is a key component of the transparency obligations of the Multilateral Trading System. Paragraphs 1 and 2(e) of the Ministerial Council Decision WT/L/452 of 14 May 2002 provide that "documents relating to working parties on accession shall be restricted and shall be automatically de-restricted upon the adoption of the report of the working party" by the Ministerial Conference/General Council. The time of completion of the de-restriction process depends on the amount and complexities of the documents involved. Prior to 2002, the de-restriction of accession-related documents was governed by a different set of rules (i.e. General Council Decision WT/L/160/Rev.1 of 26 July 1996), which only affect documents circulated prior to 2002.
Protocol of Accession	The Protocol of Accession is based on a standard template. It contains the terms of accession negotiated and agreed by the acceding government and Accession Working Party members. All specific accession commitments listed in the final chapter of the Accession Working Party Report, i.e. "Conclusions", are referenced in paragraphs 2 and 3 of the Accession Protocol.
Specific Accession Commitments	These are the specific obligations negotiated as part of the accession process. All specific accession obligations, which are listed in the final chapter of the Accession Working Party Report, i.e. "Conclusions", are referenced in paragraphs 2 and 3 of the Accession Protocol. Upon ratification of the Accession Protocol, the specific obligations referenced in paragraphs 2 and 3 of the Protocol become an integral part of the WTO Agreement.
Goods Schedule	Upon ratification of the Protocol of Accession, the Schedule reproduced in the Annex becomes the Schedule of Concessions and Commitments annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994).

Services Schedule	Upon ratification of the Protocol of Accession, the Schedule reproduced in the Annex becomes the Schedule of Specific Commitments annexed to the General Agreement on Trade in Services (GATS).
Accession Commitments Database (ACDB)	This database covers all accession commitments and related information provided in the Accession Working Party Reports and Accession Protocols of the Members that have acceded to the WTO, pursuant to Article XII of the Marrakesh Agreement. http://acdb.wto.org/
Notification of Acceptance and Entry Into Force of the Protocol of Accession	The acceding government becomes a Member 30 days after notifying the WTO of the domestic acceptance (ratification) of its Protocol of Accession ("terms of accession"). A "Notification of Acceptance and Entry Into Force" of the Protocol of Accession is issued in the WT/LET-series.

**IF YOU HAVE ANY QUESTIONS / COMMENTS RELATED TO THE USER GUIDE TO
WTO ACCESSION JARGON,**

PLEASE CONTACT: ACCESSIONS@WTO.ORG