

**ACCESSION TO THE WTO:  
COUNTRY EXPERIENCES AND TECHNICAL ASSISTANCE**

**A GTZ-World Bank Workshop held in Berlin on 17-19 November 2004**

**SUMMARY OF PARTICIPANTS' REMARKS  
AND RECOMMENDATIONS**

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**Introduction**

The purpose of this document is to summarise the principal remarks and recommendations made by those participating in this workshop. Since the presentations of most of the invited speakers to this workshop appear elsewhere in this volume, my summary will focus on the interventions made from the floor, so to speak. These interventions were rich and diverse, and some selectivity is inevitable in compiling this report. My goal here has been to identify the recurring themes and important recommendations for improving the World Trade Organization's (WTO's) accession process, for the content and provision of technical assistance to developing countries attempting to accede to the WTO, and for the steps that developing countries can take during the WTO accession process so as to better align the opening of their economies with their broader development goals. Individuals are not identified here by name and the fact that a view is reported here does not constitute an endorsement by either the workshop organisers or by myself.

This summary is organised in the same manner as the sessions of the workshop. The first day of the workshop was devoted to a discussion of four developing countries' experiences with the WTO accession process and to an open panel discussion on the relative merits of potential reforms to the WTO accession process so as to make it more development friendly. The second day of the workshop was dominated by discussions in working groups and in the plenary sessions that followed them. The working groups first assessed the current trade-related technical assistance/trade-related capacity building (TRTA/TRCB) support provided by donor organisations and then made

recommendations to improve upon existing TRTA/TRCB support. The two days of discussion by invited participants was followed by a public event on 19 November 2004. On that day a short discussion followed two presentations (summarising the findings of the prior two days and existing research on WTO accession) and a number of interventions from a panel.

### **The experiences of developing countries with the WTO accession process**

Presentations on the experiences of four developing countries that have undergone, or are undergoing, the WTO accession process prompted a number of interesting interventions from participants. The subsequent panel discussion on the potential for reforming the WTO accession process developed these and other points, which are described below.

It was noted that countries seek to join the WTO for a wide range of reasons and that systematic analysis of the potential consequences are often not undertaken before a nation applies to join the WTO. Some countries, in particular formerly communist states, see joining the WTO as a political act and as a means to join the international community of nations. Meanwhile, others place a greater priority on integrating into the world economy (by seeking more predictable access to foreign markets) and on attracting foreign direct investment. Another distinction mentioned was between those nations that used the WTO accession process to define their overall reform programme and those that used this process as part of a broader reform initiative.

Although concerns were raised about the validity of generalising from the experiences of a small set of developing countries, a number of recurring fears were expressed by participants concerning the WTO accession process. One fear was that an applicant would be forced to take on “maximal obligations.” However, it was noted that the number, timing, and enforcement of these obligations should be borne in mind and that developing countries should actively seek TRTA/TRCB to mitigate any adverse effects of such binding commitments. During this discussion two recommendations were made by different participants concerning the “price of WTO accession” to be paid by developing countries. The first was that acceding nations should have the same rights and obligations as WTO members at a similar level of development. The second recommendation was that WTO members should not seek commitments from acceding nations that are “purely tactical” in nature; that is, to solely influence the terms of negotiations in the ongoing Doha Development Round. Some asked for even more restraint in requests of acceding DCs: According to this view requests should be formulated in compliance with the development status of the acceding DCs. Some participants stipulated, that LDCs should be granted a minimum standard of Special & Differential Treatment and that maximum requests for market access liberalisation by LDCs should be specified, without having to negotiate.

A related fear was that applicants would be asked to take on commitments beyond those of existing WTO agreements, the so-called WTO-plus commitments. Here it was noted that not every WTO-plus commitment harms the development prospects of acceding nations and that they latter ought to differentiate between those commitments that are beneficial and those that are not. It was recommended that applicants concentrate their

opposition on those proposed commitments which they can credibly document as being harmful to their development prospects.

The third fear was that accession obligations may unnecessarily limit the “policy space” of developing countries. A number of participants opined on this matter. Some argued that policy space was needed to allow nascent industries to grow. Others observed that international rules limiting policy space were to the advantage of poorer nations, helping them frustrate pressures from interest groups for harmful government interventions. The point was also made that many commentators in industrialised countries regret the absence of stronger WTO on their own nation’s policy space, especially in the area of agricultural support measures whose costs are borne by Western taxpayers. Some participants from Developing Countries added that policy space was not necessary in case the Developing Country had formulated a strategy for its concerned internal and external policies.

The fourth fear is that the WTO accession process takes limited account of individual country circumstances and, relatedly, provides for little special and differential treatment. It was noted, for example, that one transition economy’s high level of unemployment and difficulties in accommodating a large number of refugees was not taken into account in its accession negotiations with existing WTO members. Participants discussed the true development value of special and differential treatment and whether the terms upon which countries are to be objectively differentiated could ever be agreed.

A distinct set of observations were made regarding the steps taken by developing countries during the WTO accession process and the external assistance they have received. Given the absence of any rules on the terms of WTO accession, it was argued by some participants that more studies were needed to identify the likely price of accession, the opportunities created by accession, and the institutional and other needs that are likely to follow from negotiating and acceding to the WTO. With respect to the latter, it was suggested that diagnostic tools developed under the Integrated Framework could be usefully used in this regard, and that post-accession TRTA/TRCB be targeted principally towards complying with the more costly WTO agreements; namely the Agreement on Technical Barriers to Trade (TBT), the Agreement on Sanitary and Phytosanitary Measures (SPS), and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). A developing country official cautioned, however, that the value of any diagnostic tool was determined in large part by the quality of the team implementing it and by the political will to act on its findings. More generally, the importance of the support of a nation’s most senior political leaders throughout the accession process was noted by a number of participants.

The importance of on-going consultation between the governments of nations wishing to accede to the WTO and non-state actors was mentioned by a number of participants. Although no one argued against such consultations, differences in the degree to which they actually occur (or occurred) during WTO accessions were noted. For example, an official from a least developed country noted that consultation with its private sector was less than with the media, academics, and with non-governmental organisations (NGOs), precisely because of the relative weakness of the former. Another participant argued that the private sector should be consulted more intensively before negotiators travel to Geneva for meetings of their respective accession Working Party. Interestingly, little was

said about how developing countries' governments organised outreach activities, their motives for doing so, and what lessons they took away from such consultations.

The burdens and complexity of the WTO accession process was noted by several participants. Establishing and maintaining a permanent mission in Geneva, for example, is particularly costly. In this regard two suggestions were made. First, that assistance might be given to acceding countries to translate important WTO documents and to improve their knowledge of a recognised WTO language. Second, that meetings of WTO accession-related Working Parties could be held in the capitals of the acceding country. As well as saving the travel costs of the acceding nation's negotiators and facilitating the quick and easy access to expertise and political decisions in its ministries, administration and research institutions, it was thought that this proposal would have the additional benefit of acquainting officials from existing WTO members with the conditions in the applicant nation.

### **Technical Assistance and WTO Accession: Assessments of Current Programmes and Implications for the Future.**

The second day of the workshop was devoted to discussions on selected aspects of TRTA/TRCB support for the WTO accession process. Specifically, in the morning participants assessed the current programmes of TRTA/TRCB support and this was followed in the afternoon by a discussion of recommendations for the improvement and amplification of such support. The participants were divided into three working groups and each working group chose a member to make a presentation that summarised their deliberations in a subsequent plenary session. One working group comprised of officials from agencies that financed or provided TRTA/TRCB; another working group comprised of officials or other persons from least developed countries, and the third working group comprised of persons from developing countries that are not classified as least developed.

In summarising the discussions among the officials from donor countries, one participant noted that TRTA/TRCB programmes vary considerably: that some programmes were more ad hoc and short term than others; and that some targeted assistance during the WTO accession negotiating process while others supported the implementation of accession commitments. These differences reflected the dissimilar mandates of donor agencies and had a bearing on the degree of cooperation between donor agencies on accession-related TRTA and TRCB.

This participant noted that greater attention must be paid to aligning the short term and longer term needs of accession countries with TRTA/TRCB programmes. The Integrated Framework was said to provide a sound vehicle to assess needs and it was recommended that such needs assessments are undertaken early in the accession process. Involving a number of donors in this assessment may go some way to reducing duplication in TRTA/TRCB initiatives.

Another perspective on current TRTA/TRCB programmes was provided by a representative from the working group comprising of participants from the least developed countries. Overall, it was argued, current technical assistance programmes do not adequately meet the needs of the poorest nations that are acceding to the WTO. In

this respect concerns were raised about both the quality, content, and country coverage of existing programmes. As a general rule, technical assistance programmes need to cover every stage of the WTO accession process, including the implementation stage.

Considerable criticism was directed at the consultants employed in many TRTA/TRCB programmes. All too often their visits were too short, such consultants faced language difficulties and did not fully appreciate local circumstances and priorities, and the recipient countries played little or no role in both drafting the terms of reference for consultants and in the associated selection processes. Workshops on WTO accession matters were found wanting too. Often they were too basic, too repetitive, not practice oriented, targeted at the wrong officials, and not followed up on. This participant suggested that more funding be devoted to information-gathering trips to Geneva and to the preparation and participation of staff in the meetings of the accession Working Parties.

Least developed countries, it was said, felt caught in the middle between donor agencies that all too often competed in the provision of TRTA/TRCB programmes. While cooperation between donor agencies does occur, measures to strengthen such collaboration should be taken and might result in better coverage of the accession process. Steps could also be taken to better inform developing countries of available TRTA/TRCB programmes and how to apply for them.

Although keen to emphasise the value of TRTA/TRCB initiatives in the area of WTO accession, many of the above considerations were echoed in the summary presentation made by the representative of the other (non-least) developing countries. This participant noted that officials from acceding countries also needed short term (up to six months) on-the-job training in Geneva. In addition, the necessity and cost of translating Working Party documentation was a particular challenge. It was suggested that TRTA/TRCB programmes could help in both respects. Fears were also expressed about the sustainability of TRTA/TRCB programmes and the potential for donors, or contractors that they have paid for, to try to unduly influence the negotiating position of recipient nations.

In the ensuing panel discussion among officials from agencies providing or financing TRTA/TRCB programmes a number of deficiencies mentioned above were discussed. Donors emphasised the importance they attached to evaluating programmes and to soliciting feedback from recipients. It was recognised that, as far as is practical, TRTA/TRCB programmes should be recipient-driven. With respect to the language-related difficulties during the accession process, one donor noted that his agency had made provision for an English language training course in one programme but found that the target group of recipient officials were too busy negotiating their country's WTO accession to take the course. Other means would have to be found to address the language-related difficulties of accession countries. With respect to workshops, the donors offered a few words of caution. First, recipients and donors both have a duty to ensure that a workshop is successful and this includes ensuring that the right officials from the beneficiary workshop attend the workshop. A second observation is that not every accession-related matter is country-specific in nature, which may account for some of the more general workshops that are organised by donor agencies.

Not surprisingly, many of the themes developed in the assessment of TRTA/TRCB programmes were amplified in the afternoon discussion on recommendations to improve such programmes. These recommendations fell into the following four groups: those relating to the development of expertise; those relating to the analysis of, and identification of negotiating priorities in, the WTO accession process; those relating to the identification and prioritisation of TRTA/TRCB needs; and those concerning the inclusiveness of WTO accession-related processes.

Given the complexity, wide-ranging scope, and length of the WTO accession process, the need for TRTA/TRCB programmes to develop expertise in accession countries was said to be a major priority. This involves the training of not just officials in national trade ministries, but also other government officials, university teachers, and members of civil society. Attention also needs to be given, it was argued, to the substance of WTO obligations, the opportunities created by WTO accession, as well as to the realities of the accession negotiation process.

The recommendation concerning the development of analytical capacity and identification of negotiating priorities seeks to operationalise a long standing piece of policy advice to acceding nations; namely, to integrate in a coherent manner the WTO accession process into national development strategy. This involves not only developing the capacity to identify the robust linkages between WTO accession and national economic and social objectives, but also to draw implications for national negotiating priorities and to craft responses to the negotiating proposals of other nations.

On the nature and priorities of TRTA/TRCB programmes, it was recommended that developing countries devise, in partnership with donors, a technical assistance “road map” to ensure that the formers’ needs are best met throughout the entire accession process, even up to the implementation phase. Concerning the choice of experts and consultants to work on accession-related TRTA/TRCB, it was suggested that a pool of “southern” experts be developed (principally from the countries that have recently joined the WTO.) More generally, establishing fora to facilitate further south-south learning on WTO accession matters was seen as a potentially fruitful initiative. Some consideration was given to the establishment of a multilateral trust fund to support TRTA/TRCB on WTO accession matters, although this was not seen as a panacea.

TRTA/TRCB should, it was argued, support initiatives that foster dialogue within developing countries about the nature and likely consequences of WTO accession. Here, informal roundtables and alike between civil society, the business community, and government officials—including trade negotiators—were seen as useful vehicles.

### **Closing remarks**

The WTO accession process commands the attention of diverse group of individuals and organisations based in a large number of nations. This workshop provided an opportunity for many interested parties to share their experiences and evaluations of the WTO accession process, allowing better practices to be identified and proposals for future initiatives to be formulated. Many of the scheduled presentations are described elsewhere in this book. Here the goal was to summarise without attribution the main points that

arose during the floor discussion by workshop participants and in the organised working groups. It is hoped that these observations will help countries that are acceding to the WTO to form more realistic expectations of the nature of the accession process and the opportunities and potential difficulties created by it. Providers and financers of technical assistance will have plenty of food for thought, especially in light of the relatively critical—but well intentioned—assessments of the TRTA/TRCB programmes currently provided to beneficiary nations.