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| Research Article

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Theoretical Foundations of Trade Policy in WTO Membership

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Abstract: This article examines the emergence, development, and role of the World Trade Organization in the globalizing world economy.

Key words: World Trade Organization, total exports, international trade, export volume, Export, Import, trade turnover, World Bank.

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Kirish:

Any country or customs territory with full autonomy in conducting its trade policy may become a member of the WTO ("access"), but all WTO members must agree on the terms. This is done through the establishment of a working group of WTO members and the negotiation process.

The Accessions Intelligence Portal contains information on ongoing and terminated WTO memberships since 1995, as well as other information on how to join the WTO, technical assistance activities, related publications and other resources.

All members become members of the WTO as a result of negotiations. WTO membership represents a balance of rights and obligations. Information on the negotiation process can be found here. The official WTO website provides additional information on the legal provisions for membership, the accession process and technical explanations.

The Accessions Transparency Tool Box (ATTB) aims to help governments facilitate and ensure transparency in the WTO accession process. It includes a guide, annual reports on accessions by the Director-General, the Accession Commitments Database (ACDB), and other tools to facilitate the accession process and ensure transparency in WTO accession negotiations.

Literature review:

Approximately half of the countries in the accession process are considered to be “fragile and economically distressed” (FCA).[1] The Trade for Peace initiative, launched at the 11th Ministerial Conference of the World Trade Organization in Buenos Aires in December 2017, aims to use the WTO accession process as a path to economic growth and development, and as a key element of national, regional, and international peace and security.[2]

It is worth noting that accession to the WTO can take different periods of time for countries. The following countries have indicated the terms of the WTO accession process:[3]

Such an opportunity is provided by agreement on multilateral trade agreements. The Ministerial Conferences must support the agreement by a two-thirds majority of the WTO Members.[4]

Countries that have begun their efforts to become members of the WTO participate as observers. Most observer countries are at various stages of their accession to the WTO. The procedure for joining the WTO consists of several stages. This process lasts on average from 5-7 to 10 years.[5]

In the first stage, the economic mechanism and the trade and political regime of accession are examined in ad hoc working groups to ensure compliance with WTO standards and rules. After that, consultations and negotiations on the terms of membership of the applicant in this organization begin. These consultations and negotiations are usually held bilaterally with all interested parties in the working group.[6]

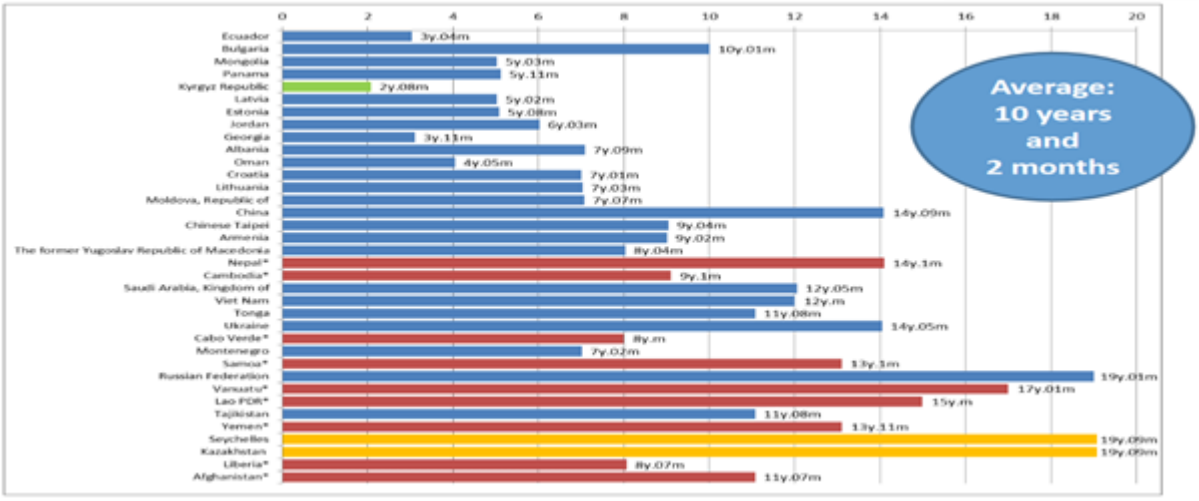
First, the negotiations are about the readiness of the acceding country to offer WTO members access to its markets.

Discussion:

In turn, the acceding country, as a rule, receives the rights of other WTO members, which practically do not mean the end of discrimination in foreign markets.

In accordance with the established procedure, the results of all negotiations on the liberalization of market access to markets and the conditions of accession are issued in the following official documents:

A working group report, in which a set of rights and obligations is decided, is implemented in the country according to the results of the negotiations; Members wishing to become members of the WTO must go through the accession process, which includes negotiations between the applicant and WTO members. The accession process refers to specific procedures that have developed on the basis of GATT practice and have been developed by the Secretariat. Governments that become members of the WTO must become members of the WTO in consultation with the WTO members. This is a process driven by the members. The Commission process aims to ensure that the laws and practices of the Joint Government are in conformity with the rules of the World Trade Organization and that it becomes a full and effective member from the first day of its membership.



1-rasm. Oxirgi 10 yil davomida JST ga azo bolish jarayoni.[1]

[1] https://www.wto.org/ malumotlari asosida muallif ishlanmasi.

The rules governing accession to the WTO are based on Article XII of the Agreement establishing the WTO (the Marrakesh Agreement); Article XXXIII of the General Agreement on Tariffs and Trade (GATT), which governs accession to the GATT.

Tariff schedules and levels of support for agriculture in the field of goods;

List of special obligations for services and MFN (most favored treatment) derived from;

Protocol on legal accession, legal implementation of agreements reached at the bilateral and multilateral levels.

One of the main conditions for the accession of new states to the WTO is the regulation of national legislation and practice of regulating foreign economic activity in accordance with WTO rules.

At the final stage, the candidate's national legal authority prepares a set of documents agreed upon under the working group and approved by the General Council. After that, these obligations become part of the legal package of WTO documents and national legislation and national legislation, and the candidate itself receives the status of a WTO member.

The highest governing body of the WTO is the Ministerial Conference. It meets at least once every two years, as a rule, at the level of ministers of trade or foreign affairs. The Conference elects the head of the WTO.

The actual management of the organization and monitoring of the implementation of the adopted agreements is carried out by the General Council. Its functions also include the resolution of trade disputes between WTO member states and the monitoring of their trade policies. The General Council oversees the activities of the Trade Administration, the Council for Trade in Services, and the Intellectual Property Council.

The members of the General Council are usually ambassadors or heads of missions of WTO member states. The executive body of the organization is the WTO Secretariat.

The WTO includes the activities of its staff and expert groups and specialized committees, which monitor compliance with competition rules and the admission of new members, as well as the implementation of regional trade agreements and the investment climate.

The WTO adopts decisions by consensus, although it provides for a vote. Interpretations of the provisions of the goods agreements, services, as well as exemptions from obligations, require a three-quarters majority of the votes. Amendments that do not affect the rights and obligations of the participants, as well as the admission of new members, require a 2/3 vote (but, as a rule, it is defined as consensus).

Conclusion:

In conclusion, it should be said that after admission to the WTO, trade-related disputes can be considered by a special WTO panel. Dispute resolution within the WTO is somewhat different from that in other international organizations. An international dispute is a relationship in which the state interests of the participants clash, the legal or political views of the parties do not coincide, and the states understand their rights or obligations differently.

International disputes are characterized on various grounds:

- ✓ by the object, subject of the dispute: territory, debts, amount of damage and compensation;
- ✓ by the geography of distribution: local, regional, global;
- ✓ by the number of subjects: bilateral, multilateral.

Disputes between states in the international trade system may concern issues such as dumping and anti-dumping duties, export subsidies and countervailing duties, import bans, the validity of import quotas, and the existence of certain provisions in domestic legislation.

The traditional methods of resolving disputes in international law are: negotiations, consultations, mediation, conciliation commissions, etc.

Disputes of an economic nature between states can be resolved through permanent institutional mechanisms, in particular, an international court, an international arbitration court, and international organizations.

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